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MINUTES OF THE PROCEEDINGS  
OF  
THE COUNCIL  
OF THE  
CITY OF PITTSBURGH  
*FOR THE YEAR 1981*





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- Robinson, Mr., recognizing June 13, 1981 as Food Stamp Day .....
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- Robinson, Mr., honoring Westinghouse High School and its Concert Choir .....
- Robinson, Mr., honoring Sisters of Mercy for their contributions to City of Pgh., & welcome participants in Mercy '81 .....
- Robinson, Mr., honoring and recognizing Opportunities Industrialization Centers of America & welcoming the delegates from Region Three .....
- Robinson, Mr., recognizing Solidarity Day, September 19, 1981, and encouraging national administration to rescind current budget cuts, and ask Congress to insure continuance of programs to needy .....
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- Robinson, Mr., recognizing October 16, 1981 as World Food Day in City of Pgh .....
- Robinson, Mr., recognizing & honoring the veterans of City & give special honor to Vietnam Vet and the Vietnam Veterans, Inc.....
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- Robinson, Mr., recognizing & honoring Westinghouse High School "Bulldogs", their championship, staff & the students .....
- Stone, Mr., resolution to extend and congratulate Daniel Paul Dolata, Eagle Scout, Troup 711 .....
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Rosecrans, Morry J., 19th Ward & Commonwealth of PA, for opening & widening of Crane Ave., & other public purposes .....	970,
St. Mary's intersection of Grandview Ave., & Bigham St., 19th Ward.....	970,
St. Mary's, intersection of Grandview Ave., & Ulysses St., 19th Ward .....	970,
Triplett, Samuel H., intersection of Grandview Ave., & LaBelle St., 19th Ward .....	970,
Tri-Point, Inc., property of, northern side of Carson St., 19th Ward.....	48,

**Funds****Auditorium Authority**

\$30,710.29 from CA 57, Social Security, to CA 53-1, Reserve Fund, Debt Service, Auditorium Authority .....	1171,
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**City Controller**

\$5,000 between code accounts in Dept. of City Controller \$5,000 from CA 1048, Misc. Services, to CA 1049, Supplies.....	1171,
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**Department of City Planning**

\$85,631.99 from CDBG Program Trust Fund, HD 80-12, to CA General Funds - City of Pgh.....	45,
\$9,159.49 from various projects to General Fund, City of Pgh.....	45,

**Emergency Medical Services**

\$40,000 from Emerg. Ambulance Service Trust Fund - \$15,000 from CA 1423, Equip., Medical Services, to EMS Equip. Project Trust Fund - \$55,000 .....	40,
\$10,000 from CA 1422, Supplies, Emergency Medical Services to CA 1421, Misc. Services, EMS .....	1028,
\$1,500 from CA 1160-1, Premium Pay to CA 1162, Gas & Electric.....	38,

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### Department of Environmental Services

0 from CA 1160-1, Premium Pay, to CA 1181, Misc. Services, Dept. of Env. Services .....	869, 923
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### Department of Fire

0 from CA 1468, Equip., to CA 1463-1, Educational Traveling Expenses, Dept. of Fire .....	918, 977
0 from CA 1468, Equip., to CA 1463, Misc. Services, pt. of Fire .....	973, 1032
0 from CA 1468, Equip., to CA 1464, Supplies & Materials, Dept. of Fire .....	900, 975
0 from CA 1468, Equip. to CA 1464, Supplies & Materials .....	1054, 1110

### Funds

### Department of Housing

0 from Rents, City-Owned Property Trust Fund, o (BBIP) Account .....	695, 759
0 from CA 1376 to CA 1379, Dept. of Housing, Bureau Bldg. Inspection .....	1004, 1061

### Department of Lands & Buildings

0 from CA 1360, Salaries, Reg. Emp., to CA 1360-1, Premium Pay .....	1051, 1109
00 from CA 57, Social Sec. Fund, to CA 1362-2, Electric Current .....	1025, 1073
0 from Dept. of Public Works, Parent Acct. 4-01, Restricted Cash, to Dept. of Lands & Bldgs., Parent Acct. 4-25, Unrestricted Cash .....	1132

### Department of Law

0 within Code Accounts or administered by the Dept. Law .....	612, 673
0 within Code Accounts of Dept. of Law .....	1138, 1174

### Miscellaneous

0 from CA 1016, Salaries, Mayor's Office, to CA 16-1, Premium Pay, Mayor's Office .....	877, 927
.37 from CA 1119, Misc. Services, to CA 1120, Equipment, Board of Adjustment .....	1195, 1288
00 from 1978 CDBG Program Trust Fund to CETA T6	



# RESOLUTIONS (Continued)

## Funds

### Miscellaneous

Trust Fund, amending Res. No. 695 of 1979 .....	48
Transferring 1979 & 1980 CDBG Funds to Gen. Fund, amending Res. 537 of 1981 .....	67
\$169,700.41 from 1980 CDBG Program Trust Fund, to General Funds for reimb. of salaries, wages & fringe benefits to employees in support of CDBG Program.....	1231,
\$221,522.57 from CDBIS, and \$54,966.97 from CDBIS to General Fund for reimb. of salaries, wages & fringe benefits to employees in support of City's CDBG Program .....	1230,
\$59,220.93 from various CETA Trust Funds into CA 44, Workers Compensation to reimb. City for workers comp. benefits paid to CETA enrollees .....	1029,
Applying requirements to funds which City receives under Community Dev. Act of 1974, as amended, for fiscal yr. 1982 & thereafter .....	
\$498,000 to Council's Contingent Fund, CA 42-2, from various code accounts .....	79
\$2,000 from CA 42, Council's Contingent Fund, to CA 1838, Parks & Rec .....	1055,
Transfer to 1981 General Fund for reimbursement of CDBG Program, and with Arthur Young for prof. services development of indirect cost schedule, amending .....	
\$400,000 from CA 58, Municipal Pension Fund-Old, to CA 55, Policemen's Relief & Pension Fund .....	92
\$54,000 to CA 1150, Outside Repairs, Dept. of Supplies, from various Environmental Services & Fire Dept. Code Accounts listed .....	90
\$22,000 to Housing Opportunities, Inc., from Neighborhood Housing Fund for Mossfield-Sullivan Site .....	77
Designating banks & lending institutions to act as depositories for 1982 .....	1172,
\$107,000 from CA 53, Reserve Fund-Debt Service-Auditorium Authority, to Parks & Rec. Special Summer Food Service Trust Fund .....	51
Authorizing City Treas. to accept funds from Port Authority of Alleg. Co., URA & PennDOT for consulting services, Trans. Coordination for Cent. Bus. Dist, amending.....	1104,
\$250,000 from CA listed therein to CA 53-1, Reserve Fund, Debt Service, Stadium Authority .....	87
\$16,000 from CA 57, Social Security Fund, to CA 1150, Outside Repairs, Contract, Dept. of Supplies .....	1030,
\$20,000 from Social Security Fund to CA 44-1, Unemployment Compensation Fund.....	1232,

## **RESOLUTIONS (Continued)**

### **Funds**

#### **Miscellaneous**

00 from various Code Accounts to various Code accounts, Dept. of Supplies.....	628, 673
00 from various code accounts to various code accounts all within Dept. of Supplies.....	1059, 1140
,010.59 from Special Trust Fund #2, Real Estate fund Trust Fund, to General Fund .....	1108, 1174
,010.59 from Special Trust Fund #2, Real Estate fund Trust Fund to General Fund, MNOC .....	1303, 1337
,366.51 from CA 4-01, DPW - \$1,028,965.87, CA 4-05, pt. of Water, \$37,967.41 & CA 4-25, Dept. of Lands & lgs., \$23,433.23, to Dept. of Parks & Rec.....	407, 463
,500 from various code accounts to various other le accounts .....	1196, 1239

#### **Department of Parks & Recreation**

2 from BF 199-376, Heath's Run Improvement Program, 046.75 from PR 76-07, Heath's Playground; and 808.25 from PR 77-20, Parks & Playgrounds New & habed; to PR 80-07, Brookline Pool Const.....	1166, 1237
23.22 within Capital Budget, to PR 81-14, Security ghts & Energy Conservation Lighting Replacement .....	769, 824
from CA 1829, Point State Park, Misc. Services, plies, Materials, Repairs & Equip., to CA 1828-1, int State Park, Premium Pay .....	873, 925
0 from Dept. of Parks & Rec. Acct. 1843, to Senior izens Program Trust Fund, Special Trust Fund No. .....	457, 515
from PR 78-01, Arts & Crafts Center, to PR 80-17, llon Park Gardens.....	971, 1043
0 from PR 81-04, South Side Ice Skating Rink-Roof sign, to PR 80-10, Westwood-Design & Const .....	769,824

#### **Department of Police**

0 from CA 1457, Purchase of Uniforms & Equip. to A 1447, and CA 1451 .....	874, 926
0 from Police Recruit Training, to City-County egrated Identification System Project .....	875, 944

#### **Department of Public Works**

from CA 1544-1, Chartiers Flood Protection Project Special Trust Fund C.F.P.P. Chartiers Flood Protec-	
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## Funds

## Department of Public Works

tion Project/Operation & Maintenance .....	970.
\$1,000 from CA 1534, Equipment, to CA 1530, Misc. Services .....	939.
\$1,000 from CA 1633, Materials, to CA 1631, Miscellaneous Services .....	86.
\$3,000 from CA 1661, Misc. Services, Supplies & Equip., Bu. of Cable Comm., to CA 1501, Premium Pay .....	1052.
\$125 from CA 1533, Repairs, to CA 1544-Sewer Maintenance Contracts, Bu. of Engineering .....	1135.
\$75,000 from CA 1660, Salaries, Reg. Employees to CA 1661, Misc. Services, Supplies, Repairs, etc.....	75.
\$75,000 from CA 1660, Salaries to CA 1661, Misc. Services, Bu., of Cable Communications .....	
\$51,502.40 from various code accounts to CA 1611-1, Utilities, Bu. of Operations, Street & Sewer Maint. Div. ....	75.
\$5,000 from Community Communications Special Trust Fund to Traffic Communications Special Trust Fund.....	76.

## Sinking Fund

\$1,200,000 from CA 2, Sinking Fund to CA 44, Workmen's Compensation Fund.....	1171.
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## Department of Supplies

\$100,000 to CA 1148, Automotive Parts, from \$50,000 CA 1132-6 Street Lighting and CA 1144, Gasoline & Diesel Oil .....	79.
\$1,000 from CA 1104, Supplies & \$700 from CA 1106, Equipment into CA 1103, Misc. Services .....	1195.
\$15,369 from CA 57, Social Security Fund, to CA 55, Policemen's Relief & Pension Fund - \$9,969, and CA 1063, Misc. Services - \$5,400.....	1108.
\$10,000 from CA 57, Social Security Fund, to CA 30, Refunds, All Other Taxes.....	1231.

## Department of City Treasurer

\$157,000 from Unrestricted Cash, DPW, to Unrestricted Cash .....	40.
Temporary transfer of \$157,000 from Unrestricted Cash DPW to Unrestricted Cash, Dept. of City Treasurer, amending Res. 487 of 1981 .....	67.

## Funds

## Department of City Treasurer

00 from CA 49, Reserve Fund-Sewage Service Charges  
 COSAN, Dept. of City Treas., to CA 51, Departmental  
 stage, Dept. of City Treas. .... 1058, 1111

## Department of Water

5, from CA 1798, Accts. Payable Prior Years, Water  
 pt., to CA 1700-1, Premium Pay and CA 1703,  
 ilities ..... 1164, 1198  
 00 from CA 1798, Accts. Payable from Prior Years,  
 pt. of Water, to CA 1708, Departmental Services  
 arges ..... 940, 1006  
 0 from CA 1706, Equipment to CA 1704, Supplies, Dept.  
 Water ..... 1052, 1075  
 00 from CA 1714, Materials to CA 1705, Repairs ..... 693, 757  
 0 from CA 1796, Salaries & Wages, Reg. Employees to  
 A 1700-1, Premium Pay ..... 1281, 1312  
 00 from CA 1796, Salaries & Wages, Reg. Employees,  
 CA 1700, Salaries & Wages, Reg. Employees and CA  
 95, Salaries & Wages, Reg. Employees ..... 1194, 1287  
 0 from CA 1708, Dept. Service Charges, to CA 1709,  
 funds, Water Rents ..... 1002, 1060  
 0,000 from Water Fund to General Fund & various code  
 counts in Dept. of Water, Gen. fund - \$1,000,000;  
 02 Municipal Oblig. for Non-City Water Agencies -  
 80,000 and 1750, Chemicals, Water Fund - \$200,000,  
 dealing ..... 1281, 1312

## Grants

o, Inc., electrical vault in portion of sidewalk of  
 th St., 1st Ward ..... 245, 303  
 Bros., Inc., \$20,825 for repair work at 519 Armandale  
 , 25th Ward ..... 943, 1011  
 t Morris College, license to construct canopy at  
 rance to its buildng - Fifth Ave., & Sixth Ave.,  
 rner ..... 342, 390  
 der, Ruth A., driveway, 1154 Southside Ave., 26th  
 rd, encroaching on East Lane ..... 365, 411  
 Roebuck Foundation in sum of \$3,494.00 for operation  
 Officer Friendly Program ..... 1106, 1180  
 Way, 2nd Ward, right to construct concrete drive,  
 ending ..... 365, 411

## Grants (Application)

Allegheny Landing UDAG Project .....	
Commonwealth of PA, Dept. of Community Affairs, for 1982 Blight Prevention Program .....	974
Commonwealth of PA, Dept. of Community Affairs, Development of North Shore Park .....	76
Commonwealth of PA, Commision on Crime & Delinquency, for grant - Citizens-Police Partnership Against Crime Program .....	1195
Commonwealth of PA, Dept. of Community Affairs, authoriz- ing URA to file amended application with, for additional \$2,583,317 for North Shore Project .....	1137
Commonwealth of PA, Dept. of Community Affairs, for develop- ment of Manchester Visual Park .....	79
CDBG Program, 1981, decreasing amount from \$28,860,000 to \$24,957,000, amending Res. No. 1420 of 1980 .....	48
Council of the Arts, PA, for Community Festival/Dance Program Project .....	69
Herron Ave., Bridge, decrease PW 78-13, increase PW 78-14, Bridges, Emergency Repairs & increase PW 78-29, Sidewalk Ramps for handicapped (1977 appl. w/PA, amending) .....	1195
HUD, UDAG with, in connection with Washington Heights Project .....	36
HUD, with, in connection with Liberty Center .....	34
PA, Dept. of Education, Special Summer Food Service Program Project .....	72
U.S. Dept. of Housing & Urban Dev., deferral of Housing Discrimination Charges .....	75
U.S. Equal Employment Opportunity Comm., deferral of Employment Discrimination Charges .....	75
U.S. Dept. of Housing & Urban Dev., 1982 CDBG Program .....	1303

## Granting Privilege

Alber, Stephen A., to continue to maintain & use at their own cost & expense, portion of 52 South 12th Street, encroaching on Bedford Square, 17th Ward .....	1026
Bigelow Apartments, planter box constructed along bldg., along 6th Ave., & Center Ave., 2nd Ward .....	1135
Chiarelli, Eugene, construction of vestibule at front of 4741 Liberty Ave., 8th Ward .....	76
Cunzolo, N. John, 800 Renshaw Bldg., 2nd Ward, balcony at rear of bldg. at Liberty Ave., & Ninth St .....	971
Fisher Scientific Co., canopy over entrance at 711 Forbes Avenue .....	75
LoCasale, Arthur V., continue to maintain & use portion of	

**Granting Privilege**

So. 12th St., encroaching on Bedford Square, 17th Ward .....	1026, 1076
Carl J. & Assoc., an electrical vault in portion of sidewalk of Sixth St., 2nd Ward .....	1052, 1112
Nald Corp., Liberty Ave., Pgh., electrical vault in portion of sidewalk of Forbes Ave., 2nd Ward .....	971, 1038
, Frederick A. & Sherry L., easement for driveway 20th Ward.....	867, 936
Tyrone Corp., electrical vault in portion of Fort St Blvd., & Chancery Lane, 1st Ward .....	1026, 1076
ro, Anna, portion of 1705 Forbes Avenue, front steps aluminum awning encroaching in Forbes Ave. ....	1135, 1199

**Historic Landmark**

eny West, certain districts & structures.....	1004
ester, designating as Historic District .....	919, 1113

**Lease**

eny Building, 17th Floor, Rms. 1701-15, 2nd Ward, pending .....	1285, 1315
Hospital, recreational purposes, property in 1st Ward .....	1166, 1255
urgh Public Theatre, to, portion of Allegheny Regional Branch, Carnegie Library .....	1051, 1121
teelers, certain property on Martindale St., Scotland St. & Reedsdale St .....	511, 595
Citizens Centers, property for, amending.....	345, 394
Citizens Centers, property for, amending.....	345, 394
& Public Auditorium Authority, between, & sublease between Public Auditorium Authority & Civic Arena Corp., for extension of life of Auditorium Auth.....	346, 472

**Lease Agreement**

er Management Agency, Inc., from, land in 6th Ward for one year-Jan. 1, 1982, for \$7,760 per mo .....	1163, 1257
Wrecking Co., Inc., to, portion of "Bell Farm" property, 28th Ward .....	1163, 1257
ing Authority of Pgh., property at 252 Mt. Pleasant St., 26th Ward.....	116, 184
Garden Center, extending lease & making other provisions .....	873, 936

## License

Duquesne Light Co., for installation of one pole & anchor, Allegheny River Boulevard .....	43
Duquesne Light Co., for installation of 1 pole & other necessary appurtenances, property fronting on Nobles-town Rd., 8th Ward .....	1134
Duquesne Light Co., to install, use, operate, maintain, repair, renew & remove cables & wires, certain property of City of Pittsburgh fronting on Brighton Rd., 27th Ward .....	1279
Duquesne Light Co., installation of 1 anchor & necessary appurtenances, property fronting on Federal St., 22nd Ward .....	1135
Duquesne Light Co., for installation of 1 anchor & other necessary appurtenances, property fronting on Noblestown Road, 28th Ward.....	1134
Duquesne Light Co., installation of one pole & one anchor guy protector post, property on N. Dallas Avenue, 12th Ward .....	75
Duquesne Light Co., installation of one pole and other necessary appurtenances on Nelson Run Road, 26th Ward .....	86
Equitable Gas Co., installation of regulator, Spring Garden Ave., & Welser Way, 25th Ward.....	969

## License Agreement

Senior Citizen Facilities, use of certain property for, amending .....	1282
Senior Citizen Facilities, use of certain property for .....	941
Tabor St., 200, Lease/s and/or License agreement for use of facilities at .....	1230

## Parkway Center Mall

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## Pilot Sticker Parking

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## Property

Baker, William A., 3214 Camp St., 5th Ward, repeal-ing .....	43
Boyd, Jesse T. & Clara Lue, 126 Erin Street, 5th Ward,	



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## Property

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n, Willie Lee, Etux, 7505 Finance St., 13th Ward,	
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o, Peter J., Niceville Street, 31st Ward, amend-	
g.....	436, 500
lidated Rail Corp., property in 12th Ward.....	660, 742
yance of property in 26th Ward to Allegheny Housing	
hab. Corp. ....	867, 936
on Commisariat of 3rd Order of St. Francis Inc.,	
00 McCandless St., 10th Ward.....	720, 778
do, Lawrence, Foerrester St., 15th Ward,	
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do, Michael & Lawrence, Forrester St., 15th Ward,	
ending & correcting information .....	868, 937
ity Sand Co., 17th Ward.....	1105, 1179
on, Calvin & Jeanette, lot-Middletown Rd., 20th Ward,	
pealing Item H of Res. 289 of 80.....	1279, 1331
n & Anna Downie, Crosby Ave., & Bousted Street, 3 lots,	
th Ward, amending .....	1228, 1328
ann, Oliver & Bruce, and Zundel, Martin, various	
properties in 25th Ward, repealing .....	1164, 1257
rd, Frank & Mitchell, Joan, 116 Rr. Amanda Street, Mt.	
ver Boro, repealing .....	291, 380
e, Reynold, 120-124 Erin Street, 5th Ward, amend-	
g.....	868, 937
Paul A., Vine St., & Foreside, vacant lot, 3rd Ward,	
ending .....	364, 420
, Robert & Nicoletta, Southern Avenue, 19th Ward,	
ending .....	1068, 1154
ero, Joseph & Victoria, Meadow St., 12th Ward,	
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si, Anthony P. Kilbourne Street, 15th Ward,	
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l, George, 231 Brereton St., 2nd Ward.....	1025, 1083
y, Kenneth, 77 Reed St., 3rd Ward, 2 sty. hse.,	
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y Land Co., 17th Ward.....	1106, 1179
y Land Co., for Southside Riverfront Park, 17th	
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r, Maggie, Milwaukee St., 5th Ward, amended.....	244, 337
s, D.C., etal, 17th Ward .....	1105, 1179
Anthony & Mary, 2 lots on Sherman Ave., 22nd Ward,	
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rd, amending .....	1193, 1292
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**Property**

Ward .....	1193,
Port Authority of Alleg. Co., Maryland Avenue, 7th Ward .....	792
Porter, David A. & Victoria J., Quincy Ave., Mt. Oliver Boro, amended .....	224
Rau, Edward, Yetta St., 24th Ward, amending .....	1068,
Ronacle Realty Co., 16th Ward.....	1106,
Savich, Michael & Mildred, 68 Briggs St., 32nd Ward, repealing Res. No. 82 of 1979, repealing sale & forfeiting hand money .....	
Silverman, George, 901 Bingham St., 17th Ward .....	625
Taxes & transfer of properties, petition for exoneration of, Act 787 of 1937 .....	609
Tyler, Donald & Shirley & Morton, Allen, 709-11 N. Homewood Avenue, 13th Ward, repealing .....	291

**Property Acceptance**

Davis School Playground Site, 14th Ward .....	917
Fron School District of Pgh., property in 25th Ward known as Fineview Tennis Courts .....	1070,
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Salago, Dolores May, 24th Ward, for public greenway purposes, amending .....	968,
Salago, Dolores Mae, 24th Ward, for public greenway purposes .....	609
Wightman School Playground Site, 14th Ward.....	917
Walls, James & Cynthia, Milwaukee St., 5th Ward, amending .....	291
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Acquired at tax sale, amended .....	244
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Acquired at tax sale .....	661
Acquired at tax sale .....	661
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## RESOLUTIONS (Continued)

### Property Acquisition

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red at tax sale, Act No. 514 of 1947 .....	969, 1047
red at tax sale, Act No. 514 of 1947 .....	1025, 1083
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red at tax sale, Act 514 of 1947 .....	1164, 1257
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n, George & Sarah, 8th Ward, owned by, for recon-	
struction of Bloomfield Bridge & approaches & just	
compensation .....	1280, 1318
llen Chevrolet Co., 8th Ward, owned by, for recon-	
struction of Bloomfield Bridge & approaches and just	
compensation .....	1280, 1317
Square & Railroad Street, repair facility in lieu of	
ndemnation, at corner of, and lease for 2nd floor of	
rminal Building .....	1132

### Property Condemnation

au Street & Ridge Avenue, 21st Ward, portion at	
ersection of, amending .....	669, 730
au Street and Ridge Ave., 21st Ward, at intersection	
purchase of property.....	456, 524
ido, Louis & Eleanor, property in 8th Ward for recon-	
struction of Bloomfield Bridge & approaches, and just	
compensation .....	940, 1009
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on Avenue, south side of, at River Road, 23rd Ward,	
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### Property

#### Urban Redevelopment Authority

is, Peter, et al, 20th Ward .....	1169, 1249
ring publicly owned property in 11th Ward .....	920, 987
re City owned property in 12th Ward .....	943, 1011
uilt Homes, Inc., various lots on Climax, Estella &	
lmont Streets, 18th Ward .....	900, 949

## Property

## Urban Redevelopment Authority

Alexiades, George & Mike, 25th Ward .....	1170,
Angell, George M. & Denise D., 7207-7205 Hermitage St., 13th Ward .....	346
Armstrong, Thomas & Marjorie, 1312 Sherman Avenue & 1311 Veto Street, 22nd Ward .....	901
Aquil, Abbas & Sabreen, 1526 Arch Street, 25th Ward .....	920
Associated East Mortgage Co., various parcels, 32nd Ward .....	942,
Bryant, Levi & Mirie, acquiring property in 11th Ward owned by .....	920
Bruce, Dierdra Y., 1403 Sheffield St., 21st Ward .....	248
Brown, Georgianna, 12th Ward .....	1168,
Brooks, Cleo & Mildred, 25th Ward .....	755
Birsa, Estate of, from, 25th Ward, for development of parking lot - UDAG Program .....	797
Bennett, Joseph G., et al, 17th Ward .....	1169,
Beatty, Mark & Susan, 1403 Napoleon St., 19th Ward .....	919
Capone, Raymond & Vivian, 13th Ward .....	1168,
Carlisle, Delvor & Gloria, acquiring property of, 22nd Ward .....	902
Carter, Lucille, 25th Ward .....	1028,
Catanzaro, John & Karen, 22nd Ward .....	513
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City of Pgh., County of Alleg. & School Dist. of Pgh., owned property, 19th Ward .....	1137,
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Collins, Carl D., John E. McGeown & Frank A. Yarussi, 1109 E. Liverpool, 1112-1114 Warlow Street, 21st Ward .....	1055,
Concord Investments, Ltd., parcels on Columbus, Adams & Fulton Sts., 21st Ward .....	755
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### Urban Redevelopment Authority

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rtolo Century Corp., & URA, ground lease & option for	
ase between .....	346, 471
R.R., trading as G.A. Dice & Son, 25th Ward .....	1028, 1079
nato, Virginia, 3rd Ward .....	1167, 1246
, Arthur, 20th Ward .....	1169, 1249
s, John & Lillian, 27 Alpine St., 25th Ward .....	696, 763
er, Tommie A., 21st Ward .....	671, 738
, Issac & Olivia, 21st Ward .....	1170, 1250
erton, Ernest & Christine, property in 22nd Ward,	
08 Eloise Street .....	901, 950
ld, Thomas, 1112 Bidwell St., 21st Ward .....	920, 986
, Keith & Brenda, 1406 Page St., 21st Ward .....	901, 950
nberger, Edward J., 16th Ward .....	1168, 1248
le, Felix, 22nd Ward .....	755, 808
ella, John, Masonry, Inc., and/or Carl Perelman &	
hristine Sebastian Corp., 1st Ward .....	611, 675
worth, Debra A., 1430 Boyle Street, 25th Ward .....	696, 762
A. Lear, 1437 Pennsylvania Ave., 21st Ward .....	1055, 1114
, Harry, 1511 N. Homewood Ave., 13th Ward .....	367, 414
ay, Albert & Bernice, 1228 W. North Avenue, 21st	
ard .....	901, 950
n, Creighton & Janey, Cheryl, 1429 Pennsylvania Ave.,	
1434 Steadman St., 21st Ward .....	920, 985
ne, David & Agnes, 21st Ward, acquiring property	
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ardo, Richard P., 25th Ward .....	1029, 1080
berg Associates, Chapel Square, 12th Ward .....	755
John & Elizabeth, 21st Ward .....	1029, 1080
, Donald & Sarah, 22nd Ward .....	754, 807
Bros., Inc., various lots in 25th Ward (Great House	
ale) .....	901, 950
ing Opportunitites, Inc., parcels in 10th Ward, Moss-	
eld & Sullivan Sts.) .....	755, 808
hins, Rena C., 1426 Faulsey Street, 21st Ward .....	920, 986
Housing Corp., 25th & 26th Wards, 1907-1909 N.	
Charles, 2121-2125 Wilson, 2414-2418 N. Charles	
street .....	367, 414
s, William H., 406 Climax Street, 18th Ward .....	919, 985
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Laud, Inc., 1258-1256 Decatur St., 21st Ward.....	24
Laud, Inc., 1603 Manhattan St., 21st Ward .....	1055
Laud, Inc., parcels in 21st Ward .....	1055
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Pickens, Albert R. & Leola A., & spouses, if married, 25th Ward .....	1170
Pilini, Alex & Diana, lots onJasmine Way, 28th Ward .....	90
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ly owned, 18th, 20th, 25th & 26th Wards .....	513,600,615
ly owned, 19th Ward & 15th Ward .....	367, 414
ly owned, 19th Ward.....	901, 951
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elopers, various, properties in 25th Ward .....	942, 1010
ential Land Reserve Fund, authorizing transfer of properties in 12th & 13th Wards from Great House Sale ogram, to .....	1284, 1320
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lbloom, James P. & entity/s formed, parcels (3) in th & 12th Wards.....	671, 739
Lucille S., 1930 Webster Ave., 3rd Ward .....	248, 334
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, Sophia, 16th Ward .....	1168, 1248
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ons, Robert L., 1323 Columbus Ave., 21st Ward.....	1055, 1114
ds, Edith M., 1313-15 Allegheny, 21st Ward .....	901, 950
, George & Inez, 25th Ward .....	1028, 1079
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own Corp., property in 1st Ward.....	1166, 1245
rd Co., Inc., Samuel S., acquiring property in 25th rd owned by.....	921, 987
, Charles T., parcel-Webster & Granville, 3rd rd .....	367, 414
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Williams, James N., 1433 Pennsylvania Ave., 21st Ward .....	920
Wilson, Steven & Bernadette, 7222 Susquehanna St., 13th Ward .....	367
Witherspoon, James A. & Mary, 12th Ward.....	1167,
Wright, Jackson & Lillian, 12th Ward.....	1029,
Young, Wayne R., 1711-1707 Manhattan St., 21st Ward .....	920
Zak, Ronald & Stephanie, 5603 Second Ave., 15th Ward.....	919
Zimmer & Harold S. & Mary W., & spouses, if married, 25th Ward .....	1170,

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et St., & 3rd Ave., portions of, 1st Ward .....	751, 804
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rry Way, 2nd Ward .....	610, 760
n Way, portion of & Daykin St., from Sacramento Ave., centerline of Daykin St., 20th Ward .....	245
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es St., Lysle St., 21st Ward.....	751, 804
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Air & Power Service Co., in sum of \$547.50 .....	72
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Air & Power Service Co., in sum of \$975.00 .....	1232,
Allied Chemical Corp., in sum of \$568.34 .....	1229,
American Energy Conservation, Inc., in sum of \$3,500 .....	612
American LaFrance in sum of \$37,665.35 .....	1197,
Arsenal Construction Co., in sum of \$385.00 .....	69
Astorino & Assoc., for \$7,745 and \$1,055 .....	1279,
Atlas Equipment Rentals, in sum of \$421.00 .....	1002,
Atwood & Bates Construction, in sum of \$5,500 .....	436
Atwood & Bates Construction Co., in sum of \$4,996.96 .....	669
Atwood & Bates Construction Co., in sum of \$1,400 .....	768
Atwood & Bates Construction Co., in sum of \$26,842.67 .....	1280,
Atwood & Bates Construction Co., in sum of \$2,750 .....	510
Babcock Lumber Co., in sum of \$1,000 .....	1172,
Bellefield Boiler Plant, in sum of \$15,428.70 .....	753
Bell Telephone Co., in sum of \$751.06 .....	249
Bell Telephone Co., in sum of \$1,551.79 .....	249
BIF, in sum of \$9,523.64 .....	293
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Blair, Haney, J., in sum of \$356.25 .....	1003,
Bouquet Construction Co., in sum of \$6,123, amending Res. 87 of 1980 .....	969,
Bovie Electric Supplies Co., in sum of \$56.71, \$159.06, \$77.23 and \$45.36 .....	750
Brassell, Martin P., in sum of \$811.96 .....	612
Brown, David, in sum of \$1,200 .....	1071,
Butch, Helen & Herman, in sum of \$6,000.00 .....	1107,
Carnegie Library of Pittsburgh, in the sum of \$323,778.57 .....	1278,
Carnegie Library of Pgh., in sums of \$15,531.93, \$200,000 and \$85,967.08 .....	1278,
Carrier Air Conditioning in sums of \$240.60 and \$165.90 .....	968,
Carter, H. F., Inc., in sum of \$21,185.00 .....	821
Carter, H. F., Inc., in sum of \$8,006, amending Res. No. 656 of 1980 .....	969,
Casciato Bros., in sum of \$5,362.39 .....	510
Casciato Bros., in sum of \$7,800 .....	753
Casciato Bros., in sum of \$5,760 .....	875
Chatham Sports Ctr., in sum of \$1,694 .....	694
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Publications in sum of \$705 .....	695, 758
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onwealth of PA, in sum of \$8,982.20.....	387, 440
ay Enterprises, Inc., in sum of \$1,900.....	670, 700
Construction Co., in sum of \$136,145.90.....	454, 491
idated Rail Corp., in sum of \$1,211.07.....	792, 852
idated Rail Corp., in sum of \$26,500 .....	1285, 1314
ll, Olan, Jr., in sum of \$1,000 .....	1281, 1313
y of Allegheny in sum of \$1,632.80 .....	1232
, Anthony, Rental Inc., in sum of \$6,364.89 .....	1069, 1141
r Construction Co., in sum of \$2,000 .....	877, 926
Wrecking Co., Inc., in sum of \$5,945 .....	753, 802
, Raymond, in sum of \$718 .....	918, 977
, Raymond, in sum of \$1,488 .....	770, 824
o, Joseph & Elizabeth in sum of \$6,000.....	368, 410
nos & Associates, in sums of \$1,891.72 and 50.73 .....	402, 459
onstruction Co., in sum of \$8,900 .....	768, 822
onstruction Co., in sum of \$10,365 .....	869, 922
onstruction Co., in sum of \$17,592.98.....	1069, 1141
nell Enterprises, Inc., in sum of \$1,477.50 .....	405, 462
erminal Leasing Co., in sum of \$2,606.32 .....	407, 463
erminal Leasing Co., in sum of \$860 .....	671, 726
a Electric Co., in sum of \$1,306.98 .....	1003, 1061
ncie, Fannie, in sum of \$2,500 .....	1171, 1238
quale, M., Inc., in sum of \$22,600 .....	457, 514
quale, M., Inc., in sum of \$19,200 .....	871, 923
quale, M., Inc., in sum of \$24,760 .....	1002, 1059
quale, M., Inc., in sum of \$4,000 .....	1069, 1141
Space Int., in sum of \$29, 572.....	873, 924
lumbing, in sum of \$5,816.24 .....	1053, 1109
Corp., in sum of \$51,067 .....	793, 852
enterprises, Inc., in sum of \$150,061.59, ending .....	365, 408
o, Thomas, Construction Co., in sum of 3,000 .....	769, 823
o, Thomas, Construction Co., in sum of \$5,700 .....	1026, 1073
o, Thomas, Construction Co., in sum of \$4,380 .....	1281, 1313
Rent-A-Car for \$1,340.....	404, 460
o, Inc., in sum of \$2,180.32.....	769, 823
ate Warrant to same payee in same amount to replace rrant .....	822, 855
ate warrant to same payee in same amount to replace t warrant .....	1004, 1062
sne Light Co., in sum of \$6,842.61.....	869, 1005
& Rivers, Inc., in sum of \$3,024 .....	694, 758

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Eastley, James C., in sum of \$987.44.....	940,
Ellis Real Estate Co., in sum of \$3,000 .....	244,
Fantini, Guido, Construction Co., in sum of \$1,000 .....	1053,
Foutz Zoological Co., Inc., in sum of \$1,780.....	1070,
Funk, R. Richard, in sum of \$4,010, amended.....	246,
Gage Co., in sum of \$625.28 .....	749,
Gal Construction Co., in sum of \$1,692 .....	1068,
Garfield, Inc., in sum of \$2,800.....	821,
Gasior, Edward, in sum of \$1,244.60 .....	296,
General Elevator Co., in sum of \$9,104.50 .....	433,
General Elevator Co., in sum of \$180.45 and \$285.66 .....	750,
General Fund, (MNOC) in sum of \$108,371.01 .....	437,
Goff, Charles & Helen, in sum of \$1,885.....	1058,
Goff, Charles & Helen & Venn-Goff, Inc., in sum of \$6,176.88 .....	1058,
Goff, Harry & Hugh & Smilay, Rose, in sum of \$975 .....	771,
Golden Triangle Const., Co., in sum of \$18,927.55 .....	666,
Grossman, Elizabeth, in sum of \$994.92 .....	246,
Hacker, C. Leroy & Alzada C., in sum of \$1,250 .....	798,
Harmon Lumber & Sy. Co., in sum of \$17,506 .....	721,
Harris, Maria, in sum of \$1,250.....	458,
Hawkins, Roland, in sum of \$3,500.....	620,
Hendee Zoological Co., in sum of \$5,565.....	511,
Hennessy, Detective Second Grade Regis, in sum of \$100.....	918,
Hewlett Packard Co., in sum of \$9,406 .....	1072,
Hildebrand, Theodore, in sum of \$9,000.....	628,
Honeywell, Inc., in sum of \$254.09 .....	877,
Houston-Starr Co., in sum of \$490.72 .....	1193,
IBM Corp., in sum of \$1,389.00 .....	699,
IBM Corp., in sum of \$1,383 .....	918,
IBM Corp., in sum of \$1,386.....	1106,
IKM-SGE, in sum of \$858.25 .....	940,
IKM-SGE, in sum of \$858.25 .....	1166,
Imperial Floor & Drape Co., in sum of \$958 .....	1053,
Industrial Valve Corp., in sum of \$1,625 .....	610,
Inforex, Inc., in sum of \$7,000.....	439,
Jackson's Woodworking Machine Repair Service in sum of \$450.00 .....	750,
Jeffrey, Pete & Assoc., Inc., in sum of \$1,141 .....	1282,
J-Jac Construction Co., in sum of \$25,792 .....	668,
J-Jac Construction Co., in sum of \$32,614.70 .....	939,
J-Jac Construction Co., in sum of \$10,300 .....	971,
J-Jac Construction Co., for \$46,905.49.....	1228,
Johnston Controls, in sum of \$266.36.....	750,
Josephson, Wm. & Dorothy, in sum of \$3,000 .....	1171,

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## Warrants

, Dorothy & Daniel, et al, in sum of \$842.65 .....	771, 825
James, Inc., in sum of \$950 .....	1071, 1142
dy, J. A., Plumbing Co., Inc., in sum of \$300 .....	1279, 1311
Otis F.& Johnnie Mae in sum of \$7,400 and Ronald	
g in sum of \$100 .....	1285, 1314
nann, Carl, in sum of \$2,200.....	771, 825
Fred & Assoc., in sum of \$143.10 .....	1002, 1061
Tire Co., Inc., in sum of \$16,261.67.....	1171, 1238
, William E., in sum of \$1,600 .....	1171, 1238
netric Metric Resources Corp., in sum of	
3.64 .....	770, 824
& Coulter, Inc., in sum of \$342.70.....	1281, 1312
Frederic, in sum of \$5,000 .....	877, 926
Andrew Plumbing, in sum of \$412.85 .....	1027, 1073
s Plumbing & Heating Co., in sum of \$1,621.40 .....	405, 462
s Plumbing & Heating Supply Co., in sum of	
2.72 .....	693, 757
ll, Joseph J., & Margaret, in sum of \$875 .....	798, 854
Gantverg & Hodge in sum of \$525 .....	406, 462
Gantverg & Hodge, in sum of \$1,236 .....	874, 925
Gantverg & Hodge, in sum of \$672.20 .....	1106, 1173
s Construction Co., in sum of \$3,520 .....	403, 460
s Construction Co., in sum of \$4,692.69.....	404, 460
Insurance Corp., & L.M.V. Leasing, in sum of	
023.33 .....	439, 490
Valarie & Peter, in sum of \$2,500 .....	975, 1033
tock & Co., J. M., in sum of \$831.92 .....	694, 758
dy, Inc., in sum of \$2,718.62 .....	1053, 1109
n, Jim, Inc., in sum of \$2,535.28 .....	720, 774
n, Jim Truck & Car Leasing, in sum of \$1,712.68 .....	939, 1005
sum of \$7,774.90 .....	921, 946
sum of \$16,928.18 .....	1231, 1289
Construction in sum of \$5,110 .....	693, 757
Construction in sum of \$875.53 .....	1002, 1060
o, Inc., Dominic, in sum of \$18,162.40.....	668, 725
o, Inc., D. in sum of \$188,267.67 .....	1228, 1288
Olive Marie in sum of \$2,275 .....	439, 490
er Wrecking Co., in sum of \$1,690.....	770, 825
, Ruth & Donna in sum of \$4,120 .....	388, 440
evator Co., in sum of \$13,475.67 .....	968, 1030
evator Co., in sum of \$6,973.11 .....	1278, 1311
e, Lawrence J., in sum of \$537.50.....	402, 459
ara, in sum of \$1,000 .....	771, 825
or Corp., in sum of \$3,068.45.....	672, 727
o Landscape in sum of \$400 .....	722, 774
o Landscaping inc., in sum of \$2,800.....	1166, 1236

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Patterson, Terry & Marilyn, in sum of \$2,500.....	1029,
Pellegrini & Assoc., in sum of \$1,500.....	364
Penney, J. C., Casualty Ins. Co., in sum of \$3,223.55 .....	299
PA National Ins. Group in sum of \$839.88 .....	388
Peoples Natural Gas Co., in sum of \$41,340.32 .....	869,
Perkin-Elmer Corp., Citibank NAWCGSM, Sort 2539, NY, NY, in sum of \$770 .....	437
Police Officer Entrance Exam, persons who provide proctoring, not to exceed \$2,000.....	696
Persons, 15, providing proctoring in sum of \$450. ....	1107,
Pierce, Linda, for sum of \$4,120.....	388
Police Officers, members of Dept. of Police in sum of \$140.00 .....	1195,
Process Supply, Inc., in sum of \$395.....	794
Ralph Plumbing & Htg. in sum of \$5,126.80 .....	342
R. C. Firsching Associates, in sums of \$1,185, \$315, \$1,719, \$2,060 and \$465 .....	402
Rea Construction Co., in sum of \$6,200 .....	660
Rea Construction Co., for \$230 & \$4,383.46.....	1279,
Recreational Equipment Unlimited, Inc., in sum of \$6,500 .....	693
Ricketts, Mary F., M.D., not to exceed \$300 .....	771
Ritter Plumbing & Htg., in sum of \$500 .....	795
Ropet, Inc., in sum of \$652.96.....	610
Sanders, Larry, for \$2,233.50 .....	295
Sargent Electric Co., in sum of \$6,360.54.....	939,
Sargent Electric Co., in sum of \$270 .....	1053,
Sargent Electric Co., in sum of \$26,393.21 .....	1229,
Scalise, A. R., Inc., for \$450 .....	660
Schwartz, Mark D., Atty., in sum of \$1,950 .....	752
Sciulli Bros., Inc., in sum of \$2,900, amending .....	366
Sciulli Bros., Inc., in sum of \$239.55 .....	404
Sciulli Bros., Inc., in sum of \$745 .....	626
Scott Bros. Equipment, Inc., in sum of \$2,504.21 .....	1026,
Seewald, Carb & Siegel, Attorneys At Law, in sum of \$950.....	753
Smith, James L., Insurance Agency, in sum of \$1,500 .....	1072,
Smith, Michael, in sum of \$2,000 .....	974,
Smith, Scott A., for \$839.88 .....	388
Sofis Company, Inc., in sum of \$89,000 .....	1135,
Solari Electric for \$810 .....	342
Stahurski, Valarie Adams, in sum of \$830 .....	798
Stanley Magic-Door, Inc., in aggregate sum of \$3,500 .....	1279,
Steinmiller, Mary Lou in sum of \$4,000 .....	1285,



## RESOLUTIONS (Continued)

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Construction Co., in sum of \$64,000.....	722, 774
Construction Co., in sum of \$6,296.....	795, 853
Construction Co., in sum of \$22,225.....	821, 822, 855
Construction Co., in sum of \$25,017.84.....	1165, 1236
Construction Co., in sum of \$1,067.25.....	1281, 1313
, Inc., in sum of \$13,611.00.....	940, 1007
co Landscaping Contractors, in sum of \$2,260.....	916, 976
nal Entry Systems, Inc., in sum of \$1,500.....	1171, 1238
Testing Co., in sum of \$1,280.....	510, 559
oflo Equip., Co., in sum of \$827.15.....	660, 724
lectric Co., in sum of \$1,273.50.....	1105, 1173
lectric Co., in sum of \$7,791.22.....	1165, 1236
o Plumbing Inc., in sum of \$500.73.....	941, 1007
o, W. G., & Son, Inc., in sum of \$4,191.02, amending	
s. No. 192, of 1981.....	344, 389
o, W. G. & Son, Inc., in sum of \$2,123.35.....	821, 855
ull Corp., in payment for Extra Work with rehab-	
ation of various streets and park roads for	
7,640.....	61
vich, Albert G. & Margaret A., in sum of \$4,000.....	798, 854
Dept. of Labor, in sum of \$29,426.66.....	975, 1033
Games, Inc., in sum of \$1,315.16.....	694, 758
r Farms, Inc., in sum of \$3,858.....	1053, 1075
ne, Louis J., in sum of \$48,626.05.....	1194, 1287
, Raymond E., in sum of \$9,000.....	610, 672
s, Thomas & Michelle, in sum of \$825.....	771, 825
Penn Billiard & Trophy Corp., in sum of \$4,536.....	694, 758
Penn Oil Co., in sum of \$401.99.....	487, 543
ghouse Electric Corp., Elevator Div., in sum of	
59.20.....	404, 460
ghouse Electric Corp., in sum of \$3,351.....	867, 922
ghouse Electric Corp., in sum of \$3,452.44.....	1027, 1073
Penn Fleet, Inc., in sum of \$1,340.00.....	404, 460
r, Philip S., Inc., in sum of \$294.....	719, 774
t Demolition & Excavation Co., in sum of \$3,990.....	247, 302
, Paula B., in sum of \$30,000.....	1004, 1062
, Ronald in sum of \$1,895.....	388, 440

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# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JANUARY 5, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAE**...Ass't City Clerk

Pittsburgh, PA  
Monday, January 5, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

ABSENT: Mr. O'Malley

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

I would like to make an announcement. Mr. Coyne has resigned as Chairman of the Public Works Committee and Mr. Givens will assume the acting Chairmanship of the Public Works Department.

#### Mr. Givens:

Thank you very much President.

#### PRESENTATIONS

#### Mr. Givens presented

No. 2346 Resolution providing the issuance of a warrant in favor of Penn Equipment and Tool Corporation the amount of \$16,704.00 as payment the rental of a Hydrohammer w operator, in connection with City Pittsburgh Slab Replacement Program.

Which was read and referred to Committee on Finance.

#### Mr. Robinson presented

No. 2347 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12 by changing from "R1" One-Family Residence District to "RP" Planned Residential Use Development District, certain properties fronting on Northumberland Street between Forbes Avenue and Gladstone Road, 14th Ward.

Also,

No. 2348 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 13 by changing from "S", "R2" and "R3" Districts to "R1" One-Family Residence District.

Family Residence District certain property in the Hazelwood area having frontage on Kilbourne Street; Flowers Avenue; Gidding Street; Clarion Street; Tesla Street and Kinglake Street, 15th Ward.

Also,

No. 2349 Resolution approving a Conditional Use under Section 993.01(a)A(44) of the Pittsburgh Code, Title Nine, Zoning, to the Pennsylvania Bureau of Corrections to continue to use the existing structure identified as 501 N. Negley Avenue as a Group Care Facility on property zoned "R4" Multiple-Family Residence District, 11th Ward.

Also,

No. 2350 Resolution for the filing of an Application by the City with HUD for a grant in connection with the Lemington Home for the Aged UDAG Project.

Also,

No. 2351 Resolution for the filing of an application by the City with HUD for a grant in connection with the Pittsburgh Neighborhood Revitalization UDAG Project.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 2352 Resolution providing for the issuance of a warrant to John White, c/o John J. Cohen, Esquire, 319 Frick Building, Pittsburgh, PA 15219 in the amount of \$2,225.30 in full settlement of claim for property damage.

Also,

No. 2353 Resolution providing for the issuance of a warrant to Lawrence Jennings and Dolores Jennings, his wife, c/o William E. Stockey, Esquire, 512 Frick Building, Pittsburgh, PA 15219, in the amount of \$1,000.00 in full settlement of claim for personal injuries and property settlement.

Also,

No. 2354 Resolution providing for payment of \$1,150.00 to Thomas Kerr for professional legal services for the benefit of the City in connection with public hearings and providing for the payment thereof.

Also,

No. 2355 Communication from Ronald C. Schmeiser, City Treasurer amending Council Bill No. 2008, requesting interim approval of payment of \$6,986.52 to Best Business Forms Company for OT-1, Occupational Tax Return for Employers and Self-Employed Individuals Form, by increasing amount to \$6,989.96, payable from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 2356 Communication from Mayor Richard S. Caliguiri, requesting permission for George R. Whitmer to travel to Harrisburg, PA, January 6, 1981, in connection with City Legislative Program, at cost not to exceed \$175.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 2357

Report of the Committee on Finance for December 31, 1980, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2283

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Western Union Telegraph Company in the amount of \$2,375.70 as payment for telegram service furnished for the benefit of the city in connection with planning and design of the new City Asphalt Plant, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,  
Bill No. 2289

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Industrial Sealing Devices Division, 1061 Forrest Avenue, West Homestead, PA 15120, in the amount of \$397.85 in payment for Repair of a Lime Feeder furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2290

A Resolution entitled, "Resolution

providing for the issuance of a warrant in favor of BIF, Box 91202, Chicago, IL 60693, in the amount of \$289.45 in payment for Purchase of Repair Parts for Chlorinating Equipment furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2292

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hanlon Electric Company in the amount of \$932.50 in payment for work performed at Schenley Park Swimming Pool and Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2293

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of R. Richard Funk, in the amount of \$108.00 in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2294

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Penn Landscape and Cement Work, in the amount of \$15,000.00, in

payment for work performed at Schenley Park Oval, furnished for the benefit of the City without previous authority of law."

Which was read.

Also,

Bill No. 2295

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Navarro Corporation, in the amount of \$473.00 in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2296

A Resolution entitled, "Resolution amending Resolution No. 896, effective September 26, 1980, entitled: 'Authorizing the issuance of a warrant in favor of Hanlon Electric Company in the amount of \$1,957.50 in payment for work performed at Schenley Park Swimming Pool and Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof,' by decreasing the authorization to \$1,025.00."

Which was read.

Also,

Bill No. 2307

A Resolution entitled, "Resolution providing for the issuance of a warrant to the Duquesne Light Company, c/o David R. Cashman, Esquire, 1212 Manor Building, Pittsburgh, PA 15219, in the

amount of \$2,481.47 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2308

A Resolution entitled, "Resolution providing for the issuance of a warrant to Ted Christ, Joanne Christ, Robert Pfennigwerth, and Lois Pfennigwerth, c/o Donald P. Monti, Esquire, 443 Boulevard of the Allies, Pittsburgh Pennsylvania 15219 in the amount of \$4,000.00 in full settlement of claim for property damage, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2309

A Resolution entitled, "Resolution providing for the issuance of a warrant to Ethel M. Randolph and William N. Randolph, her husband, care of Michael R. Kelly, Esquire, 502 Frick Building, Pittsburgh, PA 15219 in the amount of \$9,000.00 in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 2310

A Resolution entitled, "Resolution providing for the issuance of a warrant to Angelo Taranto and Georgette Taranto, his wife, c/o Anthony A. Seethaler, Jr., Esq., 1900 Commonwealth Building, Pittsburgh, PA 15222, in the amount of \$1,750.00 in full settlement of

a claim for personal property loss, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2311

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Data Processing Micrographic Specialists or Consultants for Computer Processed Microfiche Services in connection with Real Estate Tax, Water and Sewage Service, and various other tax, service and payroll information records; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2312

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the County of Allegheny and the Private Industry Council for Pittsburgh and Allegheny County to enable Allegheny County and the City of Pittsburgh to share the joint costs of the establishment and operation of the Private Industry Council for Pittsburgh and Allegheny County and the Private Sector Initiative Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2313

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Davis & Warde, Inc., to provide upgrade training for current employees and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2314

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Duct Cleaning Corp./Airways Cleaning and Fireproofing to provide upgrade training for one (1) current employee and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2330

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Tire Corporation in the amount of \$34,173.79 for the emergency purchase of tires furnished to the City Garage without previous authority of law."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 2358

Report of the Committee on Planning, Housing and Development for December 31, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2303

A Resolution entitled, "Resolution providing for an Agreement or Agreements with consultant or consultants for design of street furniture, landscaping and preparation of design controls in connection with implementation of the Oakland Study; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2304

A Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 1209 Resaca Place, Block and Lot 23-J-231, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 2305

A Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1220-22 Buena Vista Street, Block and Lots 23-J-310 and 311, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2359

Report of the Committee on Supplies for December 31, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2288

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of air conditioning repair stations for the Department of Supplies, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

Bill No. 2360

Report of the Committee on Water for December 31, 1980 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2291

A Resolution entitled, "Resolution providing for a contract or contracts for Replacement of Water Line in Various Streets in the West-End-Elliott Section of the City and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 2361

Report of the Committee on Parks and Recreation for December 31, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also,                      with                      an                      affirmative recommendation,

Bill No. 2297

A Resolution entitled, "Resolution amending Resolution No. 838, effective August 25, 1980, entitled: 'Providing for a contract or contracts or the use of existing contracts for the installation of bituminous paving; and providing for the payment of the cost thereof,' by decreasing the authorization from \$141,907.70 to \$135,181.02."

Which was read.

Also,

Bill No. 2298

A Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 1350 - effective January 1, 1978, as amended by Resolution No. 597 of 1978,

Resolution No. 1205 of 1978, and Resolution No. 339 of 1979, entitled, 'Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith, creating Capital Funds; transferring Bond Funds to said Capital Funds;' by increasing the funds for Project No. PR 78-24, Project Code No. 4-10-10-1560-78, Brookline Park Playground, within the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2299

A Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for the repair of the Schenley Park Sewer and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 2299 Sophie, we had a report from Louise Brown that the Schenley Park Swimming Pool was 12% or better over budget now. Is this included in that 12%, or would this be additional bills, are we going to be having more of those?

**Mrs. Masloff:**

I'm not sure, but I'll check it out.

**Michelle Madoff:**

Could you check it out? Because I don't know if that was just the over runs to date and whether that is finished total.



**Mrs. Masloff:**

Okay.

Also,

Bill No. 2300

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the University of Pittsburgh for the assignment to the City of an interest in the Bellefield Boiler Plant in order to provide steam to the Phipps Conservatory."

Which was read.

Also,

Bill No. 2301

A Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering, or other professional services in connection with the design of the Brookline Park and Pool in the Department of Parks and Recreation, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2302

A Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements in connection with the renovation of the Arlington Heights Recreation Center; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and nocs were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 2362

Report of the Committee on Lands and Buildings for December 31, 1980, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2285

A Resolution entitled, "Resolution providing for an Agreement or Agreements with a professional Real Estate Appraiser or Appraisers for real estate appraisal services in connection with the purchase or sale of real property by the City for the calendar year of 1981 and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 2285, I understand that Mr. Givens mentioned he did ask the question at the Wednesday meeting, I've had the flu, I've had fourteen days of it and I hope nobody else gets it — but that seems like a very meager amount to get \$20,000 —

**The Chair:**

You haven't been gone fourteen days Michelle.

**Michelle Madoff:**

I just take myself out of bed and bring myself to the important meetings, the final votes.

**The Chair:**

But you haven't been gone for fourteen days though. Was it that long?

**Michelle Madoff:**

Yes. I've been sick for fourteen days — it doesn't seem that long does it?

**The Chair:**

No it doesn't.

**Michelle Madoff:**

See, just one day with me is like a year, isn't it?

**The Chair:**

I never knew I'd miss you so much.

**Michelle Madoff:**

What's that one-way ticket you're buying me? I'd like to go south. Would you like to support me, I'll stay there.

This is insane, Mr. Flaherty, would you like to comment on the bill?

**Mr. Flaherty:**

Well, I spoke with Harold (West) in regard to this, the head of Lands and Buildings, and he told me that properties are only appraised approximately every four years or so — four or five years. So primarily the properties that will be appraised will be properties that will be going on to the City roles for the year of '81. New properties.

**Michelle Madoff:**

Well, Mr. Flaherty, I'm sure if you check with him you will find out that he has told me that some properties haven't been re-appraised in twenty years. He has also, when he is a good mood, and he is not attacking, will say that nobody ever thought you could build on Mt. Washington, but those properties suddenly have become valuable and that they are properties that we thought were valueless in the City that now have become quite valuable like the lot I bought on Windermere Street which is not a City property, but I bought it for like \$10,000, the house was sold for \$165,000.00 because it is an upside down house. I sold the lot to someone when I came on Council. Nobody thought you could build on it. We have a lot of properties that have a lot of value and I don't know whether the other members of Council are getting the reports that Mr. Flaherty and I are getting from Mr. Valaw, and there is really a substantive amount coming in and it could be far, far greater. He keeps saying that is the greatest underutilized source of revenue for the City. If you don't appraise them, you know — I mean I think you agree, just what can we do about it, we don't run the City.

**Mr. Flaherty:**

Well Michelle, I'll offer to hold this if you want to talk it over with Harold West.

**Michelle Madoff:**

I don't think it will do any good, where are you going to get it out of the budget Mr. Stone? Can you get it out of the trust fund?

**Mr. Stone:**

The purpose for the bill or the monies here is when you have activity, whether you are selling your property or whether you are purchasing property, it is not an ongoing inspection but an inspection and appraisal at the time of any sale or purchase and it is necessary for the City of Pittsburgh to have that.

**Michelle Madoff:**

What did you just say? You said it is only for the time during the transfer of sale for them to have this? That is not true because I have spoken to him in great detail, I have spoken to Mr. Valaw in great detail and I spent six months writing it up and reporting on my findings and double checking them ten times. The story is that they are not going out and re-appraising old properties, they are putting them up at the old sale price. So, the lot I bought on Bellefield to embarrass the Administration, that their asking price was \$2,300, across the road from the club they had there on Bellefield in Shadyside -- prime location. It would have gone for \$2,300, had I not bid on it and there was that other group, the two gentlemen that bid on the property, it ended up at \$6,000, I had an offer to sell it in 24 hours at \$10,000. I had ten people interested in buying it. Sight unseen. Now I know there aren't all

those properties of that caliber, maybe 5%, maybe 2%, but at least, at least 4,000 properties according to even Mr. West, are good, buildable properties. What's his name, he's head of our trucks now, the 19th Ward Chairman, who am I thinking of? Frank Gigliotti, of the independent groups --

**Mr. Flaherty:**

He's not a chairman.

**Michelle Madoff:**

Well, whatever he is, Frank Gigliotti has a house on a lot right next to city-owned property that is level and wooded, I think he paid \$6,000 for his lot. We're selling this whole parcel next door for I think \$3,000 or \$4,000 asking price. You could build five or six houses on it, especially when there is no mortgage money around, if you can buy property, you can give it away to get some houses built. There is just no innovative program coming out of that department, I don't know why the Mayor doesn't understand that.

**The Chair:**

Tom, is this an ongoing service, or is this something new in regards to appraisals? I'm just wondering if what you've been talking about Michelle hasn't brought this about, so you've achieved a purpose there.

**Mr. Flaherty:**

We have had appraisers for quite a while.

**The Chair:**

On a steady basis?

**Mr. Flaherty:**

Yes Mr. President.

**Michelle Madoff:**

Mr. President, we were one year later, eight months late, in putting properties up for sale according to, what is the gal's name in Mr. Rege Valaw's office who runs the office, Elizabeth? Because they didn't have a typist. They only had \$9,000 and couldn't hire a typist with \$9,000 and for nine months the properties were late and weren't being put up for sale because no one could type the list up. They are eight months behind now. There is \$60,000 in that trust fund. Let's get that stuff typed up, let's get it appraised, let's get it back up for sale and let's generate some revenue. Or give it away to builders so that they will be able to offset the cost of mortgages by getting the properties on -- give them for a buck, let's get some housing up in the City.

**The Chair:**

Maybe its best you do hold it then.

**Mr. Flaherty:**

Well, I'll hold it --

**Michelle Madoff:**

I don't think it does any good, I think what we really need is a hearing with Mr. West or Mr. Valaw again, at some point, to see what we can do to expedite or bring some life into that department. That might be a more practical way to proceed.

Perhaps the Clerk would schedule that maybe for about March, because there are a lot of Post Agendas. You can't get them to do anything, its just you know, pro forma, its like out budget

hearings.

Also,

Bill No. 2326

A Resolution entitled, "Resolution providing for the renewal of the City-County Building Elevator Maintenance Contract, Controller's Contract No. 16044, and providing for the payment thereof."

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Mr. President, I'm sorry that I have been incapacitated, what is the meeting on tomorrow, essentially, do you know?

**Mr. Perry:**

There are three bills on maturity bonds.

**Michelle Madoff:**

We've already -- Mr. Robinson we've already expressed --

**Mr. Robinson:**

The law requires that we have a public hearing.

**Michelle Madoff:**

Okay, but essentially, I think you know that Council basically supports these bills, at least I do.

**Mr. Robinson:**

No, I couldn't say that, I'm not sure that Council is aware of the intentions of the Administration in presenting these bills.

**Michelle Madoff:**

Is there anything different than what you want?

**Mr. Robinson:**

Oh, I think there are some things that Council needs to be made aware of prior to us taking any final action on them and hopefully the hearing will give us an opportunity to ask questions and make any suggestions to change it.

**Michelle Madoff:**

Two other items, Mr. President, I have a letter from Director Yatch to me, dated December 16th and I have not had a chance to bring it to Council. It is a letter with reference to the insurance for the men who haul the flammable

liquid, the gasoline in the tanker, and he goes on to say that there is insurance available through the Teamsters Union for all members and that they can get up to -- no restrictions for gasoline tank truck members, for accidents of \$40,000 or death by natural cause is \$20,000 insurance. Weekly sick benefits of \$140,000 for six weeks and so on. I wonder if we could direct the Clerk to make sure that this letter is sent to the twelve tanker drivers. I think either twelve or twenty-four, how many ever there are that alternate and drive the trucks, to be sure that they were aware of this insurance, with a request from me that they get back to me letting me know whether they have been able to purchase the insurance, if they have attempted to purchase it and if they have the funds to do it and perhaps the City could look into what our responsibility might be here, but I am very concerned about that.

And the last item, we had a letter, a note I guess, to the President and members of City Council, "this is to advise that Council Bill 864, adding a new section, Smoke Detectors, was approved as an interim requirement until such time as BOCA, Basic Building Code, has been approved". What does that mean, does that mean we are going to require smoke detectors yesterday? What does he mean it has been approved, that we've approved it, I want to know what that means, I don't want to be brushed aside. We have this letter saying there are 85 dead men and women and children from the MGM Grand Hotel who cannot speak for themselves and the articles in the paper saying it could happen here. And I know you are concerned about it.

Mr. President, could we have a briefing from, I guess that would be (Paul) Imhoff, would it not? Would that be (Paul) Imhoff?

**The Chair:**

Yes, Building Inspection.

**Michelle Madoff:**

A five minute briefing as to when he is going to make it mandatory to put the smoke controls into the buildings that it is appropriate for. I think that is something we want to do right away. As soon as possible I think. Do you agree with that Mr. President?

**The Chair:**

Yes, very much so.

**Mr. Stone** moved to excuse Mr. O'Malley for absence from this meeting.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Monday, December 22, 1980.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

JANUARY 12, 1981

No. 2

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, PA  
Monday, January 12, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 2363 Resolution providing for the issuance of a warrant in favor of Raymond Hughes and Son, Contractors, in the amount of \$725.00 in payment for

extra work furnished for the benefit of the City in connection with installation of sidewalk at No. 3 Police Station; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 2364 Resolution amending Resolution No. 1028, effective October 16, 1980, entitled, "Resolution providing for lease of certain property at S. 4th St. and Bingham St., 17th Ward, from M. Berger Land Co., for a term of twenty-six (26) months, for office space for the Department of Environmental Services, upon certain terms and conditions; providing for the payment of the costs thereof", by providing for an annual rental rate. Cost not to exceed \$27,625.00.

Also,

No. 2365 Resolution providing for the termination of a lease agreement between the City of Pittsburgh and Pittsburgh Metal Lithographing Company and for the settlement of rental delinquencies in the amount of \$4,500.00.

Also,

No. 2366 Resolution repealing Item (H) of Resolution No. 355, approved 4/25/80 for the sale of a lot on Magdalena St., 17th Ward, designated as Block & Lot 12-N-281, to Edward V. & Donna L. Carminara, his wife, for the sum of \$500.00. Resolution is to repeal sale and return hand money.

Also,

No. 2367 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended.

Also,

No. 2368 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 2369 Resolution providing for the issuance of a warrant in favor of General Tire Corporation in the amount of \$2,681.00 for the emergency purchase of tires furnished to the Department of Emergency Medical Services without previous authority of law, chargeable to and payable from Emergency Medical Services Non-Resident Emergency Service Trust Fund (EMNEAS), Department of Emergency Medical Services.

Also,

No. 2370 Resolution providing for the issuance of a warrant in favor of Econolite Control Products, Inc., in the amount of \$1,005.00 for the emergency purchase of three circuit boards furnished to the Department of Public Works without previous authority of law, chargeable to and payable from Code Account No. 1645, Materials, Department of Public Works.

Also,

No. 2371 Resolution providing for the issuance of a warrant in favor of Malacane Refrigeration & Electric Service in the amount of \$649.00 for the emergency purchase of water heaters furnished to the Department of Parks & Recreation without previous authority of law, chargeable to and payable from Project Fund Oliver Bath House (OBH), Department of Parks and Recreation.

Also,

No. 2372 Resolution amending Resolution No. 1273, approved December 8, 1980, effective December 11, 1980, entitled, "Authorizing the issuance of a warrant in favor of M. DePasquale, Inc., in the amount of \$71,744.49, in payment for 'Extra and Additional Work' in connection with the Gallupe Driver Sewer Reconstruction Project, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof", by redefining the funding sources.

Which were severally read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 2373 Resolution providing for the issuance of a warrant in favor of Pittsburgh Testing Laboratory in the amount of \$682.33 as payment for the retainage due for Professional Engineering Services in connection with the inspection of the fabricated



structural steel for the South Aiken Avenue Bridge, payable from Code Account PW 76-39, Department of Public Works.

Also,

No. 2374 Resolution authorizing the issuance of a warrant in favor of Trumbull Corporation in the amount of Seventy-Eight Thousand Seven Hundred Fifty (\$78,750.00) Dollars in payment for "Extra Work" in connection with the Rehabilitation of Herron Avenue from Bigelow Boulevard to Centre Avenue furnished for the benefit of the City without previous authority of law; and providing for the payment thereof. Approved by Council Bill 1901 of 1980.

Which was read and referred to the Committee on Finance.

Also,

No. 2375 Resolution repealing Resolution No.1353, approved 12/18/80, effective 12/23/80, entitled, "Providing for an Agreement or Agreements with the Port Authority of Allegheny County and the Urban Redevelopment Authority for Consulting Services in conjunction with Transportation Coordination for the Central Business District, and providing for the payment of the cost thereof", cost not to exceed \$15,000.00.

Also,

No. 2376 Resolution providing for an Agreement with the Commonwealth of Pennsylvania, Department of Transportation, for the reimbursement to the Commonwealth for the City's share of costs of construction and improvements on Legislative Route 120, Section 70M, known as Forbes Avenue, within the City of Pittsburgh, updating signals, removal and replacement of the street lighting system and construction

of handicap ramps, and providing for the payment of the costs thereof not to exceed \$118,750.00.

Also,

No. 2377 Resolution granting unto William R. Sawyer, his successors and assigns, the privilege and license to continue to maintain and use at his own cost and expense for the duration of a portion of a structure at 508 North Saint Clair Street, encroaching on Matthews and Lamb Ways, in the 11th Ward of the City of Pittsburgh.

Also,

No. 2378 Resolution providing for a contract or contracts or an existing contract, for repairs to the Murray Avenue Bridge, and providing for the payment of the cost thereof not to exceed \$50,000.00 payable from PW 80-32, Department of Public Works.

Also,

No. 2379 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$9,583.47 for extra work in connection with rehabilitation of Herron Avenue, Controller's Contract Numbers 22726 and 22726F, and correcting description of work in Council Bill 2197 of 1980.

Also,

No. 2380 Communication from Louis Gaetano, Director, Department of Public Works requesting permission for Messrs. O'Mara, Rye and Wisniewski, to attend 1981 Hot Mix Seminar, Chattanooga, Tennessee, January 13-17, 1981, at cost not to exceed \$1,716.00, payable from Code Account 1610, Miscellaneous Services, Street and Sewer Maintenance Division, Department of

**Public Works.**

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 2381 Resolution providing for the issuance of a warrant in favor of Homelite-Division of Textron, P. O. Box G-10861, Newark, N. J. 07101, for repair of generator, in the amount of \$329.34, chargeable to and payable from Code Account No. 1705, Repairs.

Which was read and referred to the Committee on Finance.

**Mrs. Masloff presented**

No. 2382 Resolution authorizing the issuance and payment of a Semi-Final Estimate to United Landscape Contractors, in conjunction with the Rehabilitation of Ballfield Playing Surface at Various Locations, Controller's Contract Number 24770, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent.

Which was read and referred to the Committee on Finance.

Also,

No. 2383 Resolution amending Resolution No. 1055, effective October 23, 1980, entitled, "Providing for an Agreement or Agreements with the Pittsburgh Symphony Orchestra for the acoustic and site design of a summer stage at Point State Park; and providing for the payment of the cost thereof," by increasing the authorization from \$10,000.00 to \$30,000.00. Additional \$20,000.00 to be payable from PR 81-03, Point State Park, Pittsburgh Symphony Summer Stage Development.

Also,

No. 2384 Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with Leslie Park Swimming Pool in the Department of Parks and Recreation and providing for the payment of the cost thereof not to exceed \$650.00.

Also,

No. 2385 Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services at Phipps Conservatory, and providing for the payment of the cost thereof, not to exceed \$42,000.00.

Also,

No. 2386 Resolution providing for a Lease Extension Agreement with Columbia Gas Company for a term of twenty (20) years for a 6" gas line within the limits of Mt. Washington Park, between Boggs Avenue and Saw Mill Run Boulevard for a yearly rental of One (\$1.00) Dollar.

Also,

No. 2387 Resolution amending Resolution No. 184, effective March 17, 1977, entitled, "Resolution providing for a contract or contracts or use of an existing contract or contracts for consulting services for the South Side Water Front & Bikeway", by decreasing authorized amount from \$25,000.00 to \$21,090.00.

Also,

No. 2388 Resolution providing for a contract or contracts or the use of existing contracts for the installation of fence; and providing for the payment of

the cost thereof not to exceed \$25,000.00, payable from PR 81-29, Fencing, Department of Parks and Recreation.

Also,

No. 2389 Resolution providing for a contract or contracts or the use of existing contracts for the installation of concrete work; and providing for the payment of the cost thereof not to exceed \$40,000.00, payable from PR 81-31, Concrete, Department of Parks and Recreation.

Also,

No. 2390 Resolution providing for a contract or contracts or the use of existing contracts for the installation of bituminous paving; and providing for the payment of the cost thereof not to exceed \$50,000.00.

Also,

No. 2391 Resolution providing for the letting of a contract or contracts in connection with the construction of Sacramento Street Playground; and providing for the payment of the cost thereof not to exceed \$55,000.00.

Also,

No. 2392 Resolution providing for the letting of a contract or contracts in connection with the purchase and delivery of pumps for swimming pools at various locations in the Department of Parks and Recreation and providing for the payment of the cost thereof, not to exceed \$10,000.00.

Also,

No. 2393 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting

interim approval of payment of \$800.00 to Westinghouse Electric Corporation, Elevator Division, for work in connection with Frick Park Nature Center elevator.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. Robinson presented**

No. 2394 Resolution approving a sale of Parcels A and C (Washington Boulevard) in the 12th Ward of the City of Pittsburgh by and between URA and Silver Lake Associates for \$75,000.00 — Redevelopment Area No. 29.

Also,

No. 2395 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Administration of the Silver Lake Urban Development Action Grant and providing for the payment of the cost thereof not to exceed \$215,000.00.

Also,

No. 2396 Resolution approving the sale of Parcels 1, 2 and 3, (Cliff Street and Bedford Avenue) in the Third Ward of the City of Pittsburgh by and between URA and Hill House Housing Development Corporation for \$24,000.00 — Redevelopment Area No. 31.

Also,

No. 2397 Resolution approving a Neighborhood Housing Program Agreement between URA and Hill House Housing Development Corporation for housing to be constructed in the Third Ward of the City of Pittsburgh.

Also,

No. 2398 Resolution approving the sale of Block 23E, Lots 200 & 253, Block 23F Lots 262B & 307, Block 23J, Lot 77, and Block 23K, Lots 5, 24, and 27 in the 25th Ward of the City of Pittsburgh by and between URA and Albert F. Riggs for \$800.00 — Great House Sale.

Also,

No. 2399 Resolution authorizing execution of license agreement with the Urban Redevelopment Authority of Pittsburgh whereby the City of Pittsburgh will have the use of Parcels 1B and 13 in the Allegheny Center Project, 22nd Ward, for Farmer's Market and Flea Market purposes, March 1, 1981 through December 31, 1981.

Also,

No. 2400 Resolution providing for the filing of an Application by the City with HUD for a grant in connection with the Stanfield Urban Development Action Grant Project.

also,

No. 2401 Communication from Paul Brophy, Director, Department of Housing, requesting permission for John Posteraro to attend Underwriting Multi-Family Rehabilitation course, Philadelphia, PA, February 9-12, 1981, at a cost not to exceed \$850.00, payable from Community Development Block Grant Trust Fund, Department of Housing Administration, CDHD (HD-79-08).

Which were severally read and referred to the Committee on Planning, Housing and Development.

Mr. Stone presented

No. 2402 Resolution providing for the issuance of warrants to Warehouse Development Company in the sum of \$450,000.00; Beacon Warehouse, Inc., in the sum of \$62,500.00; Josephine Kobe, Executrix of the Estate of Joseph F. Kobe, in the sum of \$23,225.00; Beacon Warehouse, Inc., Assignee, and Firemen's Fund Insurance in the sum of \$275,000.00; Juanita Cox in the sum of \$10,000.00; and Virginia Chirico, Howard Kerzesky, and Walter Price and Jane Price, his wife in the sum of \$3,000.00; and exoneration of the razing lien at No. 1288, April Term, 1974. Total settlement \$823,725.00.

Also,

No. 2403 Resolution providing for the issuance of a warrant to Domenic DiLucia, c/o Robert J. Trageser, Esquire, in the amount of \$1,500.00 in full settlement of a claim arising from property damage and personal injury resulting when a tree fell on Plaintiff's mobile home located at Sammy's Trailer Court on Zimmerman Street in the City of Pittsburgh, PA, August 13, 1975.

Also,

No. 2404 Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates, and other candidates for employment and promotion. Cost not to exceed \$80,000.00, payable from C.A. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 2405 Resolution providing for

an Agreement or Agreements with Psychological Service of Pittsburgh for professional services in connection with the research, preparation, evaluation, administration, and validation of Civil Service entrance and promotional examinations. Cost not to exceed \$20,000, payable from C.A. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 2406 Resolution providing for an Agreement or Agreements with Joseph M. Mazzei, M.D., for professional services in connection with the examination of candidates for employment as police officers, firefighters, paramedics, and extra helpers; and providing for the cost thereof. Cost not to exceed \$12,000.00, payable from C.A. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 2407 Communication from Ronald Schmeiser, City Treasurer, requesting permission for Judith Gula, to attend Government Cash Manager's Conference, Washington, DC, February 23-25, 1981, at a cost not to exceed \$800.00, payable from Code Account 1063, Miscellaneous Services, Department of City Treasurer.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 2408

Report of the Committee on Finance for

January 7, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2325

A Resolution entitled, "Resolution providing for an Agreement or Agreements with International Payment Services, Inc., to provide upgrade training for two (2) current employees and providing for the payment of the costs thereof."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

Bill No. 2409

Report of the Committee on Planning,

Housing & Development for January 7, 1981 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2171

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title One-Administrative, Article VII-Procedures, Chapter 161 - Contracts, by adding Sections 161.18 through 161.19, providing for minority participation in major developments; and repealing Ordinance No. 26 of 1979."

Which was read.

Also,

Bill No. 2332

A Resolution entitled, "Resolution amending Resolution No. 859, approved July 24, 1979, which provides for the execution of a Cooperation Agreement or Agreements with Urban Redevelopment Authority of Pittsburgh for the implementation of the Industrial Loan Program, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2333

A Resolution entitled, "Resolution amending Resolution 527 approved June 2, 1980, entitled, 'A Resolution amending Resolution 370, approved April 25, 1980, entitled, 'A Resolution amending Resolution 1005, approved November 7, 1979, entitled, 'A Resolution providing for an Agreement or Agreements with

Greater Pittsburgh Development Corporation for services in connection with the Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000' by increasing the amount of the agreement and providing for the cost thereof' by increasing the amount of the agreement and providing for the cost thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2410

Report of the Committee on Supplies for January 7, 1981 transmitting two ordinances and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2170

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One-Administrative, Article VII - Procedures, Chapter 161 - Contracts, Sections 161.12 and 161.14 which provide for surety bonds on City contracts to permit security in the form of certified checks in lieu of bonds on certain types of contracts."

Which was read.

Also,

Bill No. 2172

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One-Administrative, Article VII- Procedures, Chapter 161 - Contracts, Sections 161.03 and 161.07, by increasing the amount making a sealed bid procedure unnecessary and conforming the requirement for separate specifications to state law."

Which was read.

Also,

Bill No. 2331

A Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of stainless steel gutter cover plates and anchor clips for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the

bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 2411

Report of the Committee on Lands and Buildings for January 7, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also with an affirmative recommendation,

Bill No. 2327

Resolution amending Item (G) of Resolution No. 1269, approved 12-5-80, for the sale of lot on Montezuma Street, 12th Ward, designated as Block and Lot 173-E-82, to Shirlene Watson, for the sum of \$1,000.00. Amendment is to add name of Adella Smith as former owner.

Which was read.

Also,

Bill No. 2328

A Resolution amending Item (N) of Resolution No. 1269, approved 12-5-80, for the sale of vacant land on Fredell Street, designated as Block and Lot 59-A-263, 4, 9 to Amos J. Schiarelli, for the sum of \$750.00. Amendment is to correct name of former owner.

Which was read.

Also,

Bill No. 2329

A Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

The Chair:

I would like to mention that we have some distinguished guests in the audience, Alma Fox, Mike Hoover and Anna Marie Lozer's mother, Nina Lozer. Nice to have you with us.

## MOTIONS AND RESOLUTIONS

Michelle Madoff presented

Bill No. 2412 WHEREAS, the condition of ground water is of critical importance to the overall well being of the public workers and industry; as evidenced by the recent crisis confronting the Beechview residents; and

WHEREAS, 50 percent of all Americans depend on ground water for their drinking supply and agriculture, industry and energy development depend heavily on ground water in production; and

WHEREAS, population growth and industrial growth are increasing demands on ground water posing a serious challenge to the adequate provision of this resource in the coming decades; and

WHEREAS, all residents in the City of Pittsburgh share a vested interest in the protection and provision of ground water and want to safeguard the current and future availability of ground water; and

WHEREAS, the federal Environmental Protection Agency (EPA) is conducting public hearings in Philadelphia, Pennsylvania on January 15 and 16, 1981, concerning the assessment of current and future uses of the nation's ground water and will consider creating and developing a national ground water protection strategy; and

WHEREAS, we share the belief that it should be a national goal to assess, protect and enhance the quality



of ground waters to the levels necessary for current and projected future uses and for the safeguarding of the public's health as indicated by the Community Health Advocacy Network (CHAN) and other Pittsburgh citizens concerned about a safe environment and safe employment;

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and members of the Council of the City of Pittsburgh declare Thursday, January 15, 1981 as "NATIONAL GROUND WATER PROTECTION DAY" in Pittsburgh to highlight the importance of protecting and safeguarding ground water and our other environmental resources — in Pittsburgh and our nation.

Which was read.

**Michelle Madoff:**

Mr. President, may I comment, there is a group and Mr. Perry is aware, that is taking this to Harrisburg and they are trying to get as many resolutions from different cities across the State of Pennsylvania. If you read the paper this weekend you may know that I had been involved previously over the last ten years — certain parts of Pennsylvania are going to have a severe shortage of water. It may be erroneous in a sense to say that Beechview is getting their water from ground water. When we talk about ground water we are talking about well water, unless you'd want to say that our water from reservoirs goes underground in a pipe and it becomes ground water. It is really not ground water. This is more of a supportive gesture, because there are some places in the City that do use well water — some of our buildings in town use well water. Some of them who don't want to buy our water. I think this is a very important supportive action, but I think it should be clarified when

they put in here, using the example of Beechview, that is really not accurate, we don't get ground water, it is river water that has been treated. I just wanted to correct that in case anybody else caught it.

It is a supportive piece of legislation, it is very important to the State of Pennsylvania and I would so move that it be approved.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, in keeping with the same resolution, I presume everybody here is now aware that there was a break at Maynard and I forget the other street — today, about ten o'clock — a main water break, a 20 inch pipe and there is no water presently in the entire Squirrel Hill area, I presume most of Point Breeze, Oakland area. I went over to the site myself to talk to the people. I started to get some vibes that do not make me happy. Its like anything else, if you're going to do it right you have to spend a lot of time, it takes a lot of research and a lot of time and when I was asked by our members of Council when we voted on budget, why I didn't object during the budget hearings, to cutting back, I stated then and I state again, that I am not equipped to make judgments on what should be done and what shouldn't be done until I start doing some investigative reporting, and that is what I am doing now. It appears that a most of the communities surrounding Pittsburgh are doing a lot more than we are doing. They have crews that work the valves on the regular maintenance schedule, we do not. Sometimes it takes five hundred turns just to turn one valve. They have systems distribution valves that are worked by motorists, ours

are not in most cases. We have distribution system maps that are clearly readable to all field personnel, ours are not. They have interchangeable valve parts that are standard to all valves in the City, this is what is needed, this is what is needed in our community.

Some time ago we passed some — not some time ago, not too long ago, we passed some dollars here in Council to put in some valves. It appears, superficially, and I am going to do a lot of studying on the problem, that what is happening is that other communities are putting a lot more money into replacing water lines, keeping the valves operational, having alternative routes, we should at this moment, be able to have re-routed our water supply through Braddock and Forbes Avenue to have an alternative route. We do not, I don't know why we do not. I have been getting some feedback that we've gone to lowest bids when people have bid at cost and not got the bids and know that they wanted to just do it to keep people working, people have underbid. Something is wrong somewhere very badly and I would just assume that what is happening is the Administration is putting its money, like most administrations, whether it is federally, or whether it is a corporation like U. S. Steel, where it shows, not where it doesn't show. We have a very serious water line problem that had better be addressed and we may even have to open up the budget Mr. Stone, if some of the findings that I am getting inklings, happen to be true, we are going to have to borrow from Peter to pay Paul, use some of the other monies in the Capital Budget, but the water situation is, you know, you don't know until somebody is unhappy and you don't know until somebody spills the beans, what is going on. I am not a water expert, I just know that I have resource people and I can find things out as I could in ALCOSAN and as we did when we did our

in depth study on ALCOSAN and the Blue Ribbon Study that we were directly involved with and everytime they are told to do something on a study they say, "Well, now it needs another study", and nothing gets done.

I just want to involve Council and any information they may have through their sources and I will be reporting back here probably next week on some of my findings, but it is a disgrace and its not because the Squirrel Hill area is out, it is Oakland and Shadyside and it could happen anywhere. I think all of East End is out as well. There are other ways of changing valves, having proper valves so waters can be re-routed and I'm going to check on these little notes I have to see the validity and what has to be done and what kind of dollar involvement is necessary.

#### **The Chair:**

I won't dispute with you on alternative, in all these years they should have developed one, but down through the years it is the same old story about teeth, you don't really notice them until you have a toothache, but obviously when you have a break you have to try to fix the break. I don't think the Water Department or anyone in the City of Pittsburgh wants to see a water break for any length of time, but then when these things happen Michelle, like any natural — shall we say disaster, they have to be attended to and we are all quick to say why did it happen and it shouldn't have happened, but those things are going to happen down through the years.

#### **Michelle Madoff:**

Well, Mr. DePasquale, you are aware of preventive medicine, if you keep people and you don't have polluting stacks the people don't have to be

treated for their cancers unless they are smokers, but you know, we can do a lot to keep people from getting sick, that is sort of a new philosophy. If we had looked after our water lines to a much better degree than we have, and I was not aware until somebody brought it to my attention, that we don't do what other communities are doing, not by a tenth, and if that happens to be true and I believe it to be true, then I am going to raise the roof in this City and I am going to be getting the facts, I'm getting some documentation, some comparative figures and I'll be back to this Council and if that is the truth, then what we are finding out is that we didn't do any prevention, not we didn't take -- you know, tooth decay prevention, and now we've got the toothache and we're saying what is happening.

I didn't go over there to raise the roof, I only went over to see when and what was happening. It turned out the motor wasn't working they had to go get another motor. The hose wasn't working, they had to go get another hose. Fine. Those things happen. Somebody told me it might be five days, somebody said two hours, somebody said they think they have located it, there were ten people standing around. Somehow or other, somebody has to be able to lead in that department and know what is going on and I am now going to start making a thorough investigation. I always thought we were right on top of our problems, its like that report on the caverns, on digressing, but to give an example, on the Northside, I got the report from Mr. Imhoff to Mr. Brophy, the chronological report of what took place, everybody justifies -- this break was reported to us a certain hour, our men were there immediately, we found this and we found that. But what we don't know is the things that we are not experts in and we are not engineers and we haven't been in the field for dozens and dozens of

years. I am now talking to, and I have requested from all the departments, the list of people we do business with in demolition, in the Water Department, in Supplies, in Parks and Recreation, because when things happen I want to know who to go to, not only the person doing the job, but other people who have knowledge about the field and contact people and I expect to have those lists yesterday and I am telling you that what I am learning, just from my numbers of years of being around it, there is something seriously and drastically wrong and I will be back to Council with what I find.

**Mr. Givens:**

Mr. President, I would just like to add one comment to that, that I have had a toothache for a hell of a long time and all I want is just a little bit more water pressure.

**Michelle Madoff:**

Right.

**Mr. Robinson presented**

Bill No. 2413 WHEREAS, the Pittsburgh Commission on Human Relations is celebrating its twenty-fifth Silver Anniversary this year of our Lord nineteen hundred and eighty-one; and

WHEREAS, for the past twenty-five years the Commission, its staff and the City Government of the City of Pittsburgh has dedicated its efforts to the causes of Human Rights and Equality; and

WHEREAS, the Honorable Louis Mason, Jr., member of Pittsburgh City Council from nineteen hundred and sixty-seven to nineteen hundred and seventy-seven, and serving as Director

and Deputy Director of the Pittsburgh Commission on Human Relations from nineteen hundred and fifty-six to nineteen hundred and sixty-seven; and

WHEREAS, the life and works of Councilman Mason are and have been so inextricably intertwined with the purposes and commitment of the Commission and the positive causes of women, minorities and people of all backgrounds and origins;

NOW, THEREFORE,

BE IT RESOLVED, that this Council on behalf of the citizens of this City does recognize and honor the Honorable Louis Mason, Jr. for twenty-eight years of dedicated service to the citizens of Pittsburgh and the Pittsburgh Commission on Human Relations on the occasion of the Commission's Silver Anniversary.

Which was read.

**The Chair:**

It is obviously a pleasure to ask for adoption of this resolution.

**Mr. Robinson** moved for adoption.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President if I might, Mr. Mason, due to the bad weather is unable to be with us today, but I would like to present to him on behalf of Council a gold seal copy of this Resolution this coming Thursday the 15th of January, at Wilson's Banquet Hall. At that time Mr. Mason will be given a tribute by the Human Relations Commission, his friends and neighbors.

Also, Mr. President, Mrs. Alma Fox who is a Commissioner with the Human Relations Commission, Mr. Michael Hoover, Esquire, who is a Commissioner and Mr. John Gabriel who is Executive Director, are in the audience as you previously noted, I wonder if it would be appropriate for Mrs. Fox to come forward and accept a gold seal copy of the resolution on behalf of the Commission and perhaps say a few words.

**Mrs. (Alma) Fox:**

Did you say and say a few words?

**The Chair:**

If I know Alma it will be a few thousand.

**Michelle Madoff:**

Would you announce you are running for City Council when you get up there? We could use you.

**Mrs. Fox:**

I am not running for City Council I had my chance.

About the best thing I can say about this resolution is thank you very much, thank all of you very much. The next thing that comes to my mind is the last time that I appeared before all of you as a Commissioner about to be returned to the Commission was that Councilperson Stone asked me something about did I have the fortitude to do something and right then I was sort of nervous and I should have asked him did that mean guts. Does it mean guts? Well, I think I have them.

Mr. President, I thank you, Mr. Robinson and all of you that voted in favor of this resolution, you mentioned

the fact that Mr. Hoover was here, who is one of our commissioners and that Mr. Gabriel was here, who is our Executive Director, but as is the case so often, those persons who are doing so much of the work, are just not known, so I would like to have two people that are staff people on the Commission on Human Relations, who have made all of this very possible by doing very, very good work on this celebration we are having, not only during working hours, but outside of working hours, because I am the sort of person that sort of bugs people to the extent that they feel that they have to be working 24 hours a day, so would Lorraine Pressley stand please and Donna DeLeonardo, and I would like all of you to turn around and thank them, you may need their help someday.

I have heard from most of you as far as the dinner is concerned, I haven't heard from all of you, and by the time Thursday I will expect to see each and every name on that roster.

Thank you again and I am so very appreciative.

Also,

Bill No. 2414 WHEREAS, the Reverend Martin Luther King, Jr. dedicated his life and endeavors to the achievement of a just and healthy society and the enhancement of respect and trust in our institutions and the insurance that all citizens are treated equally before the law; and

WHEREAS, his outstanding contributions included the Nobel Peace Prize and other forms of international recognition; and

WHEREAS, January 15 is the birthdate of this great American and is celebrated throughout the United States of America; and

WHEREAS, celebrations are held in schools, churches and community centers; and

WHEREAS, the Commonwealth of Pennsylvania has designated January 15 as a State holiday; and

WHEREAS, the United States Congress has been petitioned to designate January 15 as a National legal holiday;

NOW, THEREFORE,

BE IT RSOLVED, that the Mayor and the members of the Council of the City of Pittsburgh on behalf of the residents of the City of Pittsburgh do honor and recognize the birthdate of the Reverend Martin Luther King, Jr. and encourage the Congress of the United States to designate January 15 as a National legal holiday.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Question — why can't the City on its own designate this as a legal holiday, Martin Luther King Day, the 15th, next Thursday? Why can't we make it a legal holiday? Can we do that?

**The Chair:**

I don't know about Council, but I guess the Mayor can.

**Michelle Madoff:**

Pardon me?

**The Chair:**

I don't know if it is Council's prerogative or the Mayor's to be frank with you.

**Michelle Madoff:**

Why can't Council say we would like to have it a legal holiday? This is getting back to the smoke bill again Bill, isn't it? We can do it at the will of Council.

**Mr. Robinson:**

No, for us to institute a legal holiday, we do have to take action as a Council and we would have to check with the Law Department in terms of what ramifications it might have for any kind of union agreements or contracts.

**Michelle Madoff:**

Well, didn't we do that once before?

**Mr. Robinson:**

Mr. DePasquale and Mr. Bulls, when Mr. Bulls was a member of Council had explored it and it is my understanding that Mr. DePasquale is still working on trying to get some legislation put together.

**Michelle Madoff:**

That is a year ago, isn't it?

**Mr. Robinson:**

I understand that, I am just saying there are some legal ramifications that have to be clarified before we institute it. I think your point is well taken and I think we need to do that.

**The Chair:**

Drafting the legislation is no problem.

**Michelle Madoff:**

Mr. DePasquale, why don't we move on it, second it and then the Law Department would have to then give us a reason why we couldn't do it and the Mayor, maybe that is the only way could make it happen. I mean we could be vetoed, but it could be the will of Council.

**The Chair:**

I don't think there is any objection at all on the part of any Councilmember.

**Michelle Madoff:**

Would you object to that Mr. Robinson?

**Mr. Robinson:**

So be it.

**Michelle Madoff:**

I would like to make that a resolution. That we declare the 15th, Martin Luther King Day as a legal holiday, does anybody care to second that?

**Mr. Robinson** seconded the motion.

**Mrs. Masloff:**

Can we do it this year Bill?

**Mr. Robinson:**

I don't believe so.

**Michelle Madoff:**

We're going to find out fast enough.

**Mr. Flaherty:**

Its a state holiday.

**Michelle Madoff:**

No, the petition is for a state holiday, did you read it?

**Mr. Flaherty:**

It is a state holiday.

**The Chair:**

At present it is a state holiday.

**Michelle Madoff:**

I'm sorry. That's right, the federal government was the editorial this morning.

**Mr. Stone:**

Mr. President, point of order, I think that an oral motion at this time might be a little out of order, I think we ought to have something in writing.

**Michelle Madoff:**

We don't have time, its this Thursday.

**Mr. Stone:**

Since we have the time constraint, I would suggest we pass on the original motion and see if this thing can't work itself out by ne t year. It may be passed at the federal level and solve it for everybody instead of a piecemeal kind of thing.

**Michelle Madoff:**

Wait a minute — its my motion and it has been seconded. I want this to be a legal holiday it is is --

**The Chair:**

Michelle, the Clerk informs me now it would not be binding and Mr. Stone concurs with that decision.

**Michelle Madoff:**

Right, and if it isn't binding let the Mayor and the legal department be stampeded into giving us an answer because you and Mr. Bulls went back a year ago. Did you get an answer yet?

**The Chair:**

It isn't that, it is the fact that we can't do it here.

**Mr. Stone:**

Mr. President, I don't think we should be making this a kind of a political football where someone should be doing this or that.

**Michelle Madoff:**

I don't think it is a political football. I think we need an answer.

**Mr. Stone:**

The individual that is being honored in this resolution deserves some recognition. We should not be trying now to say, you didn't do it or he did it, I think it should be something that comes from this City as a composite unit as to what it should be.

**Michelle Madoff:**

Well I'm glad, if I did that in the middle of your resolution I don't think you would take it so calmly. Let's go back again. This resolution was passed that we honor Martin Luther King Day and that we encourage --

**Mr. Stone:**

I don't know that he called for the vote on that yet.

**Michelle Madoff:**

Yes we did — we voted that we recognize the birthday. I am now saying, after we have had that vote, and when I asked the question why can't we make it a legal holiday, that by passing it through Council we would then make it mandatory that the Law Department and/or the Administration would then come back and say yes or no, why we can't do it.

**Mr. Stone:**

Yes, but an oral resolution would have no value after this meeting, it wouldn't be binding on anyone, so we are just playing in —

**Michelle Madoff:**

What makes the difference binding between an oral resolution and a written resolution, there is no difference.

**The Chair:**

Look, nobody is going to question the greatness of Martin Luther King and his achievements throughout the state, the country and the world, but what is to stop every Councilmember every day in the week or every week from saying they want another national holiday for anybody they feel like.

**Mr. Flaherty:**

What is the issue at hand? We are half way through a vote, Michelle offered it, it was seconded, now if you are opposed to it vote against it. It is simple as that.

**The Chair:**

We are being told it has no binding status. If you want to vote on something just to vote, then vote.

**Michelle Madoff:**

Who said so, let's get the opinion from the legal department.

**The Chair:**

You are fooling with a holiday, you are not fooling with just a regular resolution.

**Michelle Madoff:**

Just one moment, we may be vetoed, they may say we cannot do it until next year, that is fine, at least we have done something to indicate our displeasure that this is not a holiday, then we don't have to wait for another year for you and Mr. Bulls to come back without an answer.

**Parliamentarian:**

This is not legislation, this is the will of Council.

**Mr. Stone:**

Correct.

**Parliamentarian:**

Vote it up or down -- this is a consensus of Council, that is what you want to say.

**Michelle Madoff:**

Exactly, that is where we are.

**The Chair:**

I think most people agree, it is the



sense of Council. But what he is saying is that our saying it isn't going to make it a holiday.

**Michelle Madoff:**

What you are saying is that is is just the will and everybody can be ignored. If we want it to be law then we should introduce it as an ordinance. And it is impossible to do it for this year now because it would take too long, we would be past Thursday, so what we need is an ordinance for next year, is that correct?

**Mr. Perry:**

That's correct.

**Michelle Madoff:**

Mr. Robinson did you hear that? The point that is being made is that it is the will of Council that this — and I presume we had enough votes, it looked like we had enough votes, that it is the will of Council that we have Martin Luther King Day as a holiday this year, but it may not be possible simply because the Mayor may say no and have reasons why and so on.

**Mr. O'Malley:**

Is that a paid holiday or an unpaid holiday.

**Mr. Flaherty:**

A paid holiday.

**Michelle Madoff:**

Right, and it is therefore —

**Mr. Robinson:**

We should vote on the original resolution.

**Michelle Madoff:**

Mr. Robinson, the original resolution passed. We were on a second resolution.

**The Chair:**

Mr. Clerk did we vote on the original resolution?

**Mr. Perry:**

Yes we did, there was a voice vote, it passed.

**The Chair:**

It passed, now we have another resolution on the floor, Michelle Madoff, it is a resolution designating January 15th, Martin Luther King's birthday as a legal —

**Michelle Madoff:**

City legal paid holiday, and we had a second on it and we were halfway through the vote.

**Mr. Stone:**

Wait, now we are getting a definition of what we are doing, I would like to make a point of discussion here on this bill before we vote on it. Let's do two things if I may — first of all, with what we are doing now, as the Parliamentarian has indicated, is nothing more than a consensus, it will have no legal binding at all.

**Michelle Madoff:**

That is right.

**Mr. Stone:**

At all.

**The Chair:**

I think everyone is aware of that.

**Michelle Madoff:**

Yes, and then we are going to introduce another resolution — an ordinance, Mr. Robinson will introduce an ordinance that will be introduced next week.

**Mr. Stone:**

Why don't you just say that it is the concensus of this Council that we investigate the possibility of making it a City holiday and I think that one can fly without any problem.

**Michelle Madoff:**

Because we hope that maybe the Mayor will say yes we can do it for this year, that is what the vote is — do you believe this?

**Mr. Stone:**

Financially the Mayor couldn't possibly do it this year.

**Michelle Madoff:**

Mr. Flaherty, would you deal with him, because I can't do it, maybe you could do better, maybe you can help.

**Mr. Flaherty:**

I just know we are halfway through a vote.

**Michelle Madoff:**

But if you did it to Mr. Stone, he'd come and punch you.

**Mr. Flaherty:**

Let's have the vote.

**Mr. Stone:**

With the understanding that this move means nothing other than a concensus I will vote yes.

**The Chair:**

Is there any further discussion on the resolution?

And on the question, "Shall the resolution be approved?"

The ayes and noes were taken agreeably to Council and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7

NOES none

MR. O'MALLEY ABSTAINING.

And a majority of the votes of Council being in the affirmative the resolution was approved.

**Michelle Madoff:**

Mr. DePasquale, to finish this off, I think it would now be in order for Mr. Robinson, after Thursday, if it is not made a legal holiday, or say next week, to introduce an ordinance that we want it to be a legal holiday then we deal with the legalities for next year and that gets you and Mr. Bulls and everybody off the hook who goes to the Mayor and obviously when you said you would do it you did it, but you never got answers, right? That is why we are here a year later. Now that would force the issue, we'd get some kind of answer, is that

correct? So you are in agreement with that is that correct? Mr. Robinson? Mr. DePasquale and I are in agreement.

**The Chair:**

You know, my memory is a bit vague on it and it shouldn't be, but I recall this issue coming up in Council before Mr. Robinson and you were on Council and I don't know for what reason, I imagine it was legal reasons, it was shot down, I don't know why. The majority of members of Council were for it, in fact I think unanimously. But there was some reason and I'd have to go back in the records and check with Mike and find out why it was shot down, possibly three or four years ago. I don't know.

**Michelle Madoff:**

I think it was that union had only so many holidays, but we've got from now until next year to do it. Maybe it will take two years if there is a two year contract agreement, I don't know, but if Mr. Robinson introduces it as an ordinance, then we'll have to get an official answer from the Law Department and the Administration and we will not have to worry about putting the pressure on Mr. DePasquale to check it out. Is that all right with you Sir? Okay, if it doesn't become law between now and Thursday, would you introduce an ordinance Mr. Robinson and I'll be happy to either join you — all of us who voted will be happy to join you I'm sure.

**Mr. Stone presented**

Bill No. 2415 WHEREAS, the Boy Scouts of America is one of America's foremost youth organizations with high ideals and principles; and

WHEREAS, a Boy Scout by the Scout laws must be trustworthy, loyal, helpful, friendly, courteous, kind,

obedient, cheerful, thrifty, brave, clean and reverent; and

WHEREAS, a Boy Scout takes the following oath: "On my honor I will do my best to do my duty to God and my country and obey the Scout law; to help other people at all times, to keep myself physically strong, mentally aware, and morally straight," as a pledge to those high ideals and principles; and

WHEREAS, the Boy Scouts of America do honor those Scouts, who by their personal dedication, devotion and performance to those ideals excel; and

WHEREAS, Daniel Paul Dolatas of Troop 711 by his personal and faithful dedication, devotion and performance has excelled in those high principles; and

WHEREAS, the Leaders and Scouts of Troop 711, BSA, Silver Tip District, Allegheny Trial Council, St. Josaphat's Roman Catholic Church, South Side, Pittsburgh will on January 17, 1981 honor Scout Daniel Paul Dolata by elevating him to the rank of Eagle Scout, the highest award a Scout may attain.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the City Council of the City of Pittsburgh do hereby congratulate and extend its best wishes to Daniel Paul Dolata, Eagle Scout.

Which was read.

**Mr. Stone** moved for adoption.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**The Chair** presented

Bill No. 2416 WHEREAS, after seven years of dedicated service, the Honorable William J. Coyne has resigned his position on Pittsburgh City Council to assume responsibilities as a United States Congressman; and

WHEREAS, during his tenure as Councilman, Mr. Coyne has always cultivated high social and moral standards in city government; and

WHEREAS, the City will greatly miss Mr. Coyne's conscientiousness and devotion as Councilman but will reap the fruits of these attributes through his service as Congressman.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh hereby recognize and salute the Honorable William J. Coyne for his seven years of distinguished service as a member of Pittsburgh City Council, and thank him for his dedication and devotion to the ideals of justice, which he will surely bring to the Office of United States Congressman.

Which was read.

**Mr. Stone** moved for approval.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**The Chair:**

Members of Council, a week or so ago we all made comments or remarks about Mr. Coyne which are now a matter of the record. I would just like to add that obviously Council's loss is Congress' gain.

**Michelle Madoff:**

Mr. President, I was not here on Tuesday, I was working on a number of projects and I was very surprised -- I don't know if it was Tuesday or Thursday, I've forgotten the date now, to learn that Mr. West was leaving and the front page of the Post Gazette said, "Mayor Caliguiri shocked that one of his two black department heads were leaving the City". Well, I don't know why he was so shocked when a year ago he told me he asked him to resign. That is number one.

Number two, I think it is important to point out that -- I am not positive, but I believe that the pension is based on the last three years of salary and perhaps one of the reasons he waited for \$41,000 was to affect his pension and I don't fault him for that at all, but he will be receiving, according to my having checked with Ron Schmeiser, \$11,000 a year, so he is not for the rest of his life, and that may hopefully be a long life. I don't mind taking any credit for my attacks on him for incompetency, I would not change one word of what I said, I would have been on his jugular continuously until something happened in that department. But, I deeply resent it being turned into a racial issue and I wanted to clarify that at Council. It has nothing to do with color or whether he was black, white, purple or polka dot. I might add that I was the one who picketed the Mayor when he appointed fourteen white males in the year of our Lord, nineteen hundred and seventy-nine to sit on the City Review board for the building and fire.

**The Chair:**

If I may Michelle, I don't think it is a racial issue or anyone has suggested it.

**Michelle Madoff:**

But that is what it said on the front page.

**The Chair:**

No one has had more arguments at the Council table with Mr. West than I have had in the past years, but obviously I am surprised to see him quit and I didn't want him to quit, but our differences pertained to the City of Pittsburgh and I just thought that on occasion Mr. West wasn't fulfilling his obligation, and now that he is preparing to leave, I don't care to say too much more on the matter because obviously the man has a different life to pursue and I wouldn't jeopardize that.

**Michelle Madoff:**

Mr. DePasquale, I think that you would feel in the same position since I was accused of being perhaps the motivating factor —

**The Chair:**

I wouldn't appreciate it if someone said I forced him out because I didn't and I don't think you did, I just think —

**Michelle Madoff:**

Well, that is true, I hope I didn't, but I did not make it an issue, it was not a racial issue and I think you would agree it was not a racial issue and I resent the implication that it might have been a racial issue.

**The Chair:**

I don't think anybody suggested it.

**Michelle Madoff:**

That was the only thing I wanted to clarify today, that it is not a racial issue.

**Mr. Stone:**

On this very issue if I may, I think it is wrong to imply that someone said something a year ago and you hold that in your breast for one year and at some appropriate time decide to drop it here when the other party who would be available to rebut that is not present.

Secondly, I think it is a shame to imply that Mr. West stayed on long enough to get this increase and that affects his pension rights. Anyone who read that article and if it is even half true, he is taking less money in the future than he would to stay on the job, so he is not looking for any increase in pension, the man just wants apparently, another job. As far as what we have been able to see him do his job here, in fairness, he has performed a function. I think it is wrong to just engage in this kind of an attack on him, there has never been any blemish on his records —

**Michelle Madoff:**

Why are you putting one on him now? That is not what was said, you are twisting my words. I wanted to say this was not a racial issue, I am saying that he is getting a pension, I am glad he is getting a pension.

**Mr. Stone:**

Yes, but you implied that he stayed on to get the pension from the higher wage.

**Michelle Madoff:**

I would do the same thing —

**Mr. Stone:**

May I finish.

**Michelle Madoff:**

But I don't like your implication that I am attacking him on that.

**Mr. Stone:**

If I may. She is not so sure that the increase for this one or two months does, in fact, affect his pension, and yet, puts it on the table here as kind of a blemish or implication that this was done by some conspiracy with the Mayor whereby he was going to be put into that position to get more money. What has obviously come from her today is a contradiction. If what she says is the Mayor wanted to get rid of him a year ago, then why is he trying to give him more money so he can get out?

**Michelle Madoff:**

Because he wasn't giving him more money, he was giving all of his department heads more money, he happened to be a department head and when I spoke to the Mayor he said he would leave it with him, he's going to unload him.

**Mr. Stone:**

Mr. President, I am not finished. As far as Mr. West is concerned, I know of no instance in which anyone has seen where he has not performed his job —

**Michelle Madoff:**

Ha!

**Mr. Stone:**

There have been a lot of accusations and just because some people don't believe he is doing it their way as opposed to the way he has to work under

the constraints that exist there that is a different thing. But you know, I find this double standard just utterly amazes me. We had here a director who overspent something like \$800,000 and someone today is criticizing Mr. West for whom there were no money problems and yet defended that individual on his way out. You know, somewhere along the line I think that somebody is entitled to have a just record when they earned a just record.

**Michelle Madoff:**

Mr. President, if you go back to the minutes of these meetings, on several occasions I had Mr. Brophy here and Mr. Brophy, Mr. West and I had met on several occasions, it is a matter of public record and in the minutes, that Mr. Brophy turned to Mr. West when I complained about problems and said it is even worse than she says it is. I subsequently went to the Mayor and talked to him about doing something about the problems. The Mayor said, "Leave it with me, give me time to work it out". When I read in the paper that the Mayor was shocked, I hardly believe that he was shocked, that is item one, and two, and it was referred to as being one of two blacks, I felt that it was made into a racial issue which I resented deeply.

**The Chair:**

The thing I am trying to get through to you is that it is serving us or yourself no purpose, or Mr. West to continue this, I mean, Mr. West has resigned, for whatever reasons — what you are doing is you are muddying the waters, you are saying one thing and we're getting caught in the grinder.

**Michelle Madoff:**

I just wanted to clear the air on

the racial issue today. I think if we want to talk about muddying the waters we ought to talk about people in our budget office who felt they couldn't deal with certain members of this Council, who took cuts in salaries and other jobs because they couldn't take the pressure.

You all know our Mr. Rush did that.

**The Chair:**

You are insulting the man's character, the man has retired, let it go at that. Grant him that privilege.

**Michelle Madoff:**

Mr. President, I have a notation which I have circulated to Council and I gave you a copy and I don't think you have it yet. I asked my administrative assistant to do a run-down on police officers being reimbursed for the payment of the canines. As you know, we have had problems previously in late pay. The men are furious and I have the name of this one officer who said he is going to come into Council and make a fuss. They are not getting paid for over two months, it is a hardship for them to carry the costs of the dog and it seems that it is a substantial amount. I have asked that now that we get the run-down of what is happening, perhaps the Finance Chairman -- I have asked Pete Vaughn, we are sending copies of this to the Controller's Office to find out why there is slow pay with this and whether we can expedite it and I would appreciate a letter at the will of Council, perhaps of the Finance Chairman and the President of Council that we do not wish to put this burden any further on these men. They are going to come in to Council, they are really angry. Can we do something about it? My asking them to pay it isn't going to make them do it.

**Mr. Stone:**

At the expense of being redundant, I think I have said more than a thousand times that the City of Pittsburgh ought to learn to pay its bills as early as it demands others to pay.

**The Chair:**

That's for sure.

**Mr. Stone:**

I don't know what more I can say than that.

**Michelle Madoff:**

Well, maybe we need an efficiency expert to tell us why they are not being paid and some ideas on how they can be paid more efficiently. That is the kind of thing I would like to see happen. Something is wrong somewhere. What happened to our expeditor who is supposed to walk our bills through.

**The Chair:**

It is one thing to hold our employees up, it is definitely wrong, but the holding up of these vendors, we still haven't corrected that problem, we have another one today that came through. Five or six months the man hasn't got a quarter, he's talking about laying his people off. Now we had to put through special legislation --

**Michelle Madoff:**

They ought to start suing the City.

**The Chair:**

...to get him his money that he had coming six months ago.

---

**Michelle Madoff:**

Who was that Mr. President.

**The Chair:**

It so happens its a cousin of mine but that is beside the point, it could have been anybody. I shouldn't have brought it up.

**Michelle Madoff:**

Which cousin was it? Don't feel badly, I just got some material in my office and I haven't looked at it, from the Zoning Board that says that Caliguiri and someone are buying some property, wholly owned by the City. I wonder which Caliguiri it is.

On motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

JANUARY 19, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAY...Ass't City Clerk**

Pittsburgh, PA  
Monday, January 19, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 2417 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum

question as to whether or not said voters are in favor of amending the Home Rule Charter to provide for the election of City Council Members on a combination of district and at-large basis.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2418 Resolution transferring the sum of \$9,000.00 from Rents-City Owned Property Trust Fund to the Maintenance of City Lots Trust Fund, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Also,

No. 2419 Resolution providing for an Agreement or Agreements with Energy Design Associates for professional services in connection with a Technical Assistance Audit of the North Side Public Safety Center, and providing for the payment of the cost thereof not to exceed \$4,900.00 payable from LB 80-13, Public Building Programs for Energy Conservation.

Also,

No. 2420 Resolution providing for a contract or contracts or the use of existing contracts in connection with City-County Building, 5th Floor Renovations, at a cost not to exceed \$20,000.00, payable from LB79-10 (4-25-13-2045-79) Department of Lands and

Buildings.

Also,

No. 2421 Resolution amending Item (N) of Resolution #1397, approved 12-31-80, for the sale of a vacant lot on Goff Street in the 29th Ward, designated as Block & Lot 60-E-5A, to Joseph & Nadine Gates, his wife, for the sum of \$250.00. Amendment is to correct size of lot.

Also,

No. 2422 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947.

Also,

No. 2423 Communication from Harold West, Director, Department of Lands and Buildings, requesting permission for Bruce MacDonald, to attend Construction Products Manufacturers Council Seminar on Barrier Free Design, Pittsburgh, PA January 19, 1981, at a cost not to exceed \$7.00.

**Mr. Givens presented**

No. 2424 Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Department of Environmental Resources for the Rodent Source Elimination Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Project; creating a Special Trust Fund; and providing for the deposit of the funds in a bank account.

Also,

No. 2425 Resolution providing for

the purchase of certain property in lieu of condemnation from Mobil Oil Corporation (formerly Sacony-Vacuum Oil Co., Inc.) for street widening of Forbes Avenue at intersection of Forbes Avenue and Shady Avenue in the Fourteenth Ward of the City of Pittsburgh and providing for the payment of related costs.

Which were read and referred to the Committee on Public Works.

Also,

No. 2426 Resolution providing for the furnishing and delivery of an automatic facsimile transceiver for the Department of Police, and for the payment thereof, cost not to exceed \$3,200.00 payable from Code Account 1452, Equipment, Department of Police.

Which was read and referred to the Committee on Supplies.

**Mrs. Masloff presented**

No. 2427 Resolution authorizing the issuance of a warrant in favor of Morelli Brothers, in the amount of \$4,850.00 in payment for concrete paving construction at various locations, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 2428 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$1,405.62 in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof. Approved by Council Bill 2118 of 1980.

Which were read and referred to the

Committee on Finance.

Also,

No. 2429 Resolution providing for an Agreement or Agreements or the use of existing agreements for architectural, engineering or other professional services in connection with the design of the Pittsburgh Zoo and providing for the payment of the cost thereof not to exceed \$150,000.00.

Also,

No. 2430 Resolution repealing Resolution No. 985, effective August 31, 1978 entitled: "Providing for a contract or contracts or the use of existing contracts for the construction of a new monkey exhibit at the Pittsburgh Zoo and providing for the payment of the cost thereof.

Also,

No. 2431 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$4,191.02 for repair of pumps at Schenley Park Skating Rink.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 2432 Resolution transferring the total sum of \$105,000.00 to the Emergency Street Phone Network Project Trust Fund from the City-County Integrated Identification System Project (C-CIISP), \$50,000.00; and Police Recruit Training (PRT), \$55,000.00.

Which was read and referred to the Committee on Finance.

Also,

No. 2433 Resolution amending Resolution No. 225, approved March 28, 1980, effective April 4, 1980 entitled, "A Resolution providing for a contract or the use of existing contracts for the furnishing and installation of equipment, supplies, materials and miscellaneous services in connection with the Emergency Street Phone Network Project, Phase II; and providing for the payment of the cost thereof", by increasing authorized amount from \$133,333.00 to \$304,724.54.

Also,

No. 2434 Resolution providing for an Agreement effective January 1, 1981 with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Police, and providing for the payment of the cost thereof, not to exceed \$3,000.00, payable from Code Account 1447, Miscellaneous Services, Department of Police.

Which were read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 2435 Communication from Stephen A. George,, Executive Director, Urban Redevelopment Authority of Pittsburgh, submitting Financial Statements for years ending December 31, 1979 and 1978.

Which was read and referred to the Committee on Finance.

Also,

No. 2436 An Ordinance implementing a Community Advisory Board in District 18 and providing for the organization thereof.

Also,

No. 2437 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 8 by changing from "R3" Multiple-Family Residence and "C1" Neighborhood Retail Districts to "R2" Two-Family Residence District certain property in the Beltzhoover area generally bounded by: West Warrington Avenue; Beltzhoover Avenue; Vandalia Street; Amesbury Street and Boggston Avenue, 18th Ward.

Also,

No. 2438 Resolution providing for the transfer by the Urban Redevelopment Authority of Pittsburgh of the sum of \$63,840.86 from the Garfield Code Enforcement Project, Project No. E-11, to the Residential Land Reserve Fund.

Also,

No. 2439 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 50-L, Lot Nos. 173, 174, 175 and 176.

Also,

No. 2440 Communication from Edward deLuca, Director of the Department of City Development requesting permission to attend Pennsylvania Council for Urban Economic Development Meeting, Harrisburg, PA, January 27, 1981, at a cost not to exceed \$175.00, payable from Economic Development Planning Program Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing

and Development.

**Mr. Stone presented**

No. 2441 Resolution providing for the issuance of warrants in the aggregate amount of \$10,000.00 in full settlement of a claim for personal injuries by Michael Linn, Jr., a minor, and providing for the payment thereof.

Also,

No. 2442 Resolution providing for the amendment of Resolution No. 1369, effective December 31, 1980, by setting forth the manner in which the settlement funds in the amount of \$3,200.00 will be distributed in order to comply with the Order of Court covering the settlement of a minor's claim.

Also,

No. 2443 Resolution providing for the issuance of a warrant in favor of Best Business Forms Company, in the amount of \$6,989.96 in payment for the purchase of the 1980 W-2 Wage and Tax Statement, City and CETA Employees Payroll Checks, Statement of Water Service, Occupational Tax Return for Employers and Self-Employed Individuals, and Employer's Return of City and School Earned Income Tax Withheld Forms furnished for the benefit of the City; and providing for the payment thereof, approved by Council Bill 2355 of 1981.

Also,

No. 2444 Resolution transferring \$9,900.00 from Code Account No. 30, Refunds, All Other Taxes, Department of City Treasurer, to Code Account No. 48, No-Fault Insurance Claims, Department of City Treasurer.

Also,

No. 2445 Resolution providing for issuance and sale of \$9,000,000 General Obligation Capital Note for federal reimbursement projects, for the purposes of paying a portion of the cost of acquiring and constructing its Capital Improvement Program.

Also,

No. 2446 Resolution providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters; and providing for the payment of the cost thereof not to exceed \$10,000.00

Also,

No. 2447 Resolution providing for an Agreement or Agreements with the Hospital Council of Western Penna. to provide upgrade training for sixteen (16) current employees of member hospitals and providing for the payment of the costs thereof not to exceed \$242,156.00 payable from CETA Title II-C Trust Fund.

Also,

No. 2448 Communication from John E. McAllister, Manager, City Information Systems, requesting permission for Joseph Kostrub to attend U.S. Census Bureau Software Products Course, Washington, DC, February 23-25, 1981, at a cost not to exceed \$400.00, payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also,

No. 2449 Communication from

John E. McAllister, Manager, City Information Systems, requesting permission for himself to attend 1981 Annual Conference of American Society for Public Administration, Detroit, Michigan, April 12-15, 1981, at a cost not to exceed \$675.00, payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also,

No. 2450 Communication from John E. Gabriel, Executive Director, Commission on Human Relations, requesting permission for himself and Marsha Bingler to attend U.S. Equal Employment Opportunity Commission Conference, Houston, Texas, February 10-13, 1981, at a cost not to exceed \$1,350.00, payable from EEOC-706 Trust Fund.

Also,

No. 2451 Communication from Daniel A. Pietragallo, Executive Director, Housing Authority of the City of Pittsburgh submitting listing of Housing Authority employees as of December 31, 1980.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 2452

Report of the Committee on Finance for January 14, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2346

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Penn Equipment and Tool Corporation in the amount of \$16,704.00 as payment for the rental of a Hydrohammer with operator."

Which was read.

Also,

Bill No. 2352

A Resolution entitled, "Resolution providing for the issuance of a warrant to John White, c/o John J. Cohen, Esquire, 319 Frick Building, Pittsburgh, PA 15219 in the amount of \$2,225.30 in full settlement of a claim for property damage."

Which was read.

Also,

Bill No. 2353

A Resolution entitled, "Resolution providing for the issuance of a warrant to Lawrence Jennings and Dolores Jennings, his wife, c/o William E. Stockey, Esquire, 512 Frick Building, Pittsburgh, PA 15219 in full settlement of a claim for personal injuries and property settlement."

Which was read.

Also,

Bill No. 2354

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thomas Kerr, in the amount of One Thousand One Hundred Fifty Dollars (\$1,150.00) in payment for professional

legal services furnished for the benefit of the City in connection with public hearings and providing for the payment thereof."

Which was read.

Also,

Bill No. 2369

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Tire Corporation in the amount of \$2,681.60 in payment for the emergency purchase of tires furnished to the Department of Emergency Medical Services without previous authority of law."

Which was read.

Also,

Bill No. 2370

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Econolite Control Products, Inc., in the amount of \$1,005.00 in payment for the emergency purchase of three electrical circuit boards furnished to the Department of Public Works without previous authority of law."

Which was read.

Also,

Bill No. 2371

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Malacane Refrigeration and Electric Service in the amount of \$649.00 in payment for the emergency purchase of water heaters furnished to the Department of Parks and Recreation without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2372

A Resolution entitled, "Resolution amending Resolution No. 1273, approved December 8, 1980, effective December 11, 1980, entitled, 'Authorizing the issuance of a warrant in favor of M. DePasquale, Inc., in the amount of Seventy One Thousand Seven Hundred Forty Four Dollars and Seventy Nine Cents (\$71,744.79), in payment for 'Extra and Additional Work' in connection with the Gallupe Drive Sewer Reconstruction Project, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof', by redefining the funding sources."

Which was read.

**The Chair:**

For reasons previously stated I will

vote no on this bill.

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	

AYES 7                      NOES 1  
(MR. DE PASQUALE VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2402

A Resolution entitled, "Resolution providing for the issuance of warrants to Warehouse Development Company in the sum of \$450,000.00; Beacon Warehouse, Inc., in the sum of \$62,500.00; Josephine Robe, Executrix of the Estate of Joseph F. Kobe in the sum of \$23,225.00; Beacon Warehouse, Inc., Assignee, and Firemen's Fund Insurance in the sum of \$275,000.00; Juanita Cox in the sum of \$10,000.00; and Virginia Chirico, Howard Kerzesky, and Walter Price and Jane Price, his wife, in the sum of \$3,000.00; and exoneration of the Razing Lien at No. 1288 April Term, 1974 in full settlement of claims for damages and lawsuits against the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Givens:**

Did you call out there Mike? On Bill No. 2402? Beacon Warehouse?

**Mr. Perry:**

Beacon Warehouse, right.

**Mr. Givens:**

Okay Mr. President, I would like to have some discussion on this, I know we are limited to some degree in liability in what we say here today, but I have taken it upon myself to try to educate and inform myself as to some of the particulars on this particular fire and from my investigation there are a lot of questions unanswered and today I spent all morning at the legal department looking through the various briefs on this particular fire and the affidavits of the firemen and the people who work in the warehouse and others associated with it. I only got through three of them along with asking some other pertinent questions to the people in the Law Department. I did this as well on Friday afternoon. We were given a very limited time in this Council and the fact that this case has been ongoing for some eight years with our Law Department and all parties have had an opportunity to evaluate what has happened here. We received a bill for payment of some \$824,000 and I feel it is upon this Council to investigate and look into a little bit of what happened here so we can make a better judgement in making this payment.

I fear to some extent that the flood gates could be opened up where lawsuits would be coming upon the City of Pittsburgh. The City of Pittsburgh now can be sued in eight different areas. This is not one area that we can be liable for any longer, however, there will be a

case pending this spring or summer with constitutionality. That will be challenged and if it would lose, again, my fears of this floodgate opening up wherein cities or municipalities throughout the country and this commonwealth can be sued upon what happens, I can only think that within the City that the Beacon Warehouse that was involved in this particulare fire, some ten to twelve million dollars in liability. I can only think of the high-rise buildings that we have in the City of Pittsburgh, the loss of life that could be ensued in one of these, and what eventually could be, in effect, the City of Pittsburgh's liability and responsibility in here. For that and going through some of the briefs and that, there were you know, people in the building at the time that fire broke out, warehouse employees, some four of them, who did not detect the smoke or anything like that. Two children or three children were the ones that told Engine Company No. 9, right adjacent to that particular area that there was a fire and Engine Company No. 9 responded. As the fire continued to grow and get out of control, they ensued and called up to four, five, six alarms and four special alarms were called in. As we know, the sprinkler system had been turned off in that particular building, and had been turned off for three some months. The insurance rates, the insurees found out about this and from what I was told, that the insurance rates for that particular company were raised because of this. The report was called in at 7:50 p.m., by 8:20 to 8:25 the foreman of that particular Beacon Warehouse was there and so indicated that there was not much visible fire, he could not see visible fire at that particular time. Inside of about 30 minutes Chief Kennelly arrived at the fire scene and the fire was so out of control at that particular moment that the Fire Chief ordered fire equipment away from the building, especially in Berlin alley way. There are conflicting



—  
**Mr. Stone:**

I'd like to make one comment.

**Mr. Givens:**

Excuse me, I have the floor Mr. President and I don't want to yield at this time.

**Mr. Stone:**

Mr. President, point of order, as soon as I make —

**Mr. Givens:**

I have a point of order Mr. President.

**The Chair:**

Let's hear Mr. Givens out, go ahead.

**Mr. Stone:**

Its not that, we are getting into a dangerous area —

**Mr. Givens:**

Mr. President, I have a point of order, I would like to finish what I have to say.

**The Chair:**

I can't hear both of you at the same time, excuse me, do you have a pertinent point to make Mr. Stone?

**Mr. Stone:**

Yes, I just want to caution Mr. Givens, I don't know where he is going with this, but to discuss openly this case would be irresponsible to the City of

Pittsburgh's position. Now, this is a very, very touchy thing to discuss. A case that is compromised, and now to discuss openly any —

**Mr. Givens:**

Mr. President, I am fully aware of what Mr. Stone is trying to say, I have great sensitivity to what I am saying here today and I am cautioning my remarks very vividly. I am just trying to bring out some minor facts that are known that have been reported in the newspapers, etcetera, but I feel I would like to continue and give what I feel we should do in this Council. I am making my opinions known —

**The Chair:**

With one exception Dick, this was all known to the courts and the City Law Department has said that \$800,000 is probably a cheap price, because we could pay as high as \$10 or \$12 Million.

**Michelle Madoff:**

We could also not pay anything.

**Mr. Givens:**

Excuse me, I did not relinquish the floor.

**The Chair:**

Obviously, you yourself said this has been going on for eight years, so all the facts are well know, I am not disputing that perhaps maybe the City wasn't at fault, but this is the opinion of the Law Department that we —

**Mr. Givens:**

No, the opinion of the Law Department is not the fact that the City — that is not their position.

**The Chair:**

Well, they recommended that we settle.

**Mr. Givens:**

No, they are just recommending that we make payment, I would suggest that each Councilman go and talk to the Law Department and that is what I am trying to get to Mr. President.

**Michelle Madoff:**

Why don't we meet with them?

**Mr. Givens:**

And the fact that all the firemen that had fought that particular fire felt that the Fire Department of the City of Pittsburgh did a very gallant job in number one, containing the fire as best they could with the equipment and the situation, you could not get into the bloody building to start with, it was like a fortress. It was built up very strong and the doors where the fire first broke out, and anybody knowing the warehouse and what was stored in there knows that the fire could travel very rapidly.

What I am saying is, our Fire Department and their testimony is saying that they fought the fire the best way they could with the best equipment and did it very valiantly and I support and back up that particular Fire Department. I have to ask the question then, why is the City Law Department suggesting that we make payment of damages that were ensued in this particular fire. I question that, this thing only came before us Wednesday, on very short notice, I didn't think it was even going to come up until this following Wednesday, I didn't even have an opportunity at last Wednesday's meeting to read the brief that was sent

up by the Law Department, I had it in my briefcase, not knowing that it was going to come up last Wednesday. It did, it caught me by surprise, I voted for it for the mere reason I didn't know all the restraints that were being imposed upon this Council. I checked with our Law Department, I've talked with them, I have that privileged information that was given to me that I cannot publicly disclose, I would have to say that I would seriously advocate each of the Councilpeople becoming aware of what happened under the circumstances and before we make payment on this.

It is up until I would assume, the end of February, or some time in mid-February before this Council must make a decision, so all I ask Mr. President, is for the Council to give anyone who is interested, to give them a little bit of time to look into some of the veritables. Before I want to make over three quarters of a million dollar payment to anyone in this City, I want to personally investigate the claims against the City of Pittsburgh and that means looking into every deposition that was given if I must do so, but I must make that determination as any jury might make that determination.

**Mr. Stone:**

Mr. President, if I may, the more Mr. Givens talks about what he wants to do personally, the more the danger becomes obvious —

**Mr. Givens:**

I object to that Mr. Stone, I have my opinions and you have your opinions, I can say things about you too, keep the personalities the hell out of it.

**Mr. Stone:**

He indicated he didn't read the

brief and the other documents. I don't think that, for a layperson is the way to solve this problem. I am a lawyer, but at the same time I have not imposed efforts of a lawyer into this kind of thing, but I do know that relative to this particular matter that the City Solicitor recommended, after all of the potential liabilities that we settle this matter. I talked to him as late as this morning, he was consistent, and even more fervent than his desire that this matter be resolved at this time. I am aware that Judge Del Sole was in the middle of this thing and did do a tremendous job in bringing this thing to where it is, an \$800,000 settlement, and the matter of spreading it over two years relative to a payment. I see some serious problems here, you are in the matter of a settlement where we accept or we don't accept. If we don't accept at this time or we don't soon accept, the compromise may fall apart and then we are subjected to that possibility that we can't buy what we now have. From the information which is supplied to me and plus the recommendation that comes from the City Solicitor, it would appear to me to be totally irresponsible not to move on this matter at this time and I would wholeheartedly support it. I've had my problems occasionally with our Solicitor, but I think on this one, this is one that we've got to unite for the City's position, it is their recommendation, they know the total dangers and they are very strong and fervent and consistent in what they feel should be done and I think this Council ought to at this point, in view of our fiscal problems that we are going to have in 1981, we should not subject ourselves to something that could very well make it devastating for the City of Pittsburgh.

**The Chair:**

To that respect Mr. Givens, do you want to make a motion to recommit the

bill?

**Mr. Givens:**

Mr. President, I would like to make comment on what Mr. Stone has so indicated.

**The Chair:**

Well, that would serve no purpose Dick, do you want to recommit the bill? Do you want to make a motion to recommit the bill?

**Mr. Givens:**

No, I think this thing has to be discussed a little bit, I don't —

**The Chair:**

Okay, you've discussed it and he's discussed it, now you've got to take some action, either make a motion to recommit and see if you can recommit it or we vote on the bill as discussed.

**Mr. Givens:**

I think this ought to be discussed just a little bit Mr. President. I have to appreciate what Councilman Stone had to say because I weighed all those particular parameters that he just spoke about right now, especially the sensitivity of this thing and especially Judge Del Sole and what he has done to try to bring all parties together. I am not insensitive to that, I am very sensitive to it, but I think one has to go through a little bit of the transcripts that I've been going through for the last half day and find out that it is contradictory in some areas. I won't say what areas, but it is a little bit contradictory to me and until I read through those damn transcripts, until I find out more about what happened, until I talk to a few people, then I cannot

make a judgemental factor to vote on this particular thing right now.

**The Chair:**

Allright, this is the point I am trying to make, if you have convinced your colleagues and you make a motion to recommit, they will vote to recommit, if you haven't convinced them they are going to vote the bill up. So you have to make a choice, do you want to make a motion to recommit the bill?

**Mr. Givens:**

Yes I would Mr. President, I move to recommit Bill No. 2402.

**Michelle Madoff** seconded the motion.

**The Chair:**

Allright, is there any discussion on the recommital?

**Michelle Madoff:**

I think Mr. Stone raises the issue of the dangers of impacting on the legality and change of heart and say, "Well, now we don't want to settle for that", and I think that is where he is coming from and I hope I am interpreting correctly — however, there was an editorial in the news media addressing exactly what Mr. Givens is saying, it is a very dangerous precedent and we are opening up the floodgates, that if we pay this everybody is going to start suing us so I think Mr. Givens has a point well taken and I think that what he was saying and the statements he made today were a matter of public record taken from public documents open to anybody who would like to see them.

My concern is, the reason I am supporting a one week delay in payment is, one week isn't going to make that

much difference. I would like to have the legal department, in the future, not only on this particular claim, but in all claims, meet with Council. I don't want to get it second hand, I know Mr. Stone is Finance Chairman and that is his department, but in something of this magnitude, I think it would be very helpful in reaching decisions if the Law Department met with us for 10 minutes, either in their area or in our Chambers and said, "Hey, this is what happened, it is a no-win situation, we are subject to whatever, even though we think so and so and so and so, maybe we ought to pay it", and then at that point we can ask some questions of the Law Department and we could then say, "Well, the media, the editorial, — media seems to feel, the printed media, that we are going to open the floodgates", well, what does that mean? Is it possible that we may lose more in the long run because we pay it in the short run. Nobody has had a chance to address those questions except on a one to one. Mr. Givens did it on a one to one, I was busy with other things, many of us are busy with other items. I think in the future we ought to set a policy, and that is your decision, that on any major claim, we are briefed as a body, and I don't think that would be out of order. I frankly had a note on my bills, that what I was really —

**The Chair:**

Howcome nobody raised the point until they read the newspapers? Couldn't we think of this at the table rather than wait until we read the newspapers. You're saying that the news media now is influenced you to ask for more information, but last Wednesday nobody wanted more information.

**Michelle Madoff:**

No, I asked for information at the time.

### **The Chair:**

We took for granted the Law Department gave us a good recommendation and we were going on that basis.

### **Michelle Madoff:**

I think if you go back to the minutes it will reflect that I made the statement, "Didn't they turn off the sprinklers?" And I have a note here, and my issue today was not even on the payment. I want to be sure that we have addressed under the new BOCA code that is forthcoming, who is going to have sprinklers in the future, because we are going to be paying a lot of these claims if people turn off these sprinklers.

What I would like to ask respectfully is that the City Clerk have Mr. Imhoff come here and tell us how many warehouses that are not in use presently, have sprinklers, because when is the next time we are going to pay one of these? That is part of the Fire Code thing that I am interested and the alarms and I think Mr. Givens touched on it, the children had to go call the police because there was no smoke alarm to alert people, and obviously the sprinklers weren't working which was a matter of public record by the media. My point is two-fold. One, I would like the letter sent that Imhoff will brief us on the sprinklers because we are going to be talking about expediting that BOCA code, and two, that I see no reason why we don't wait a week so that we can set a precedent for the future, that any time there is a major claim, I don't care if it is a claim against the Fire Department of the City, or whether it is on Water Department. We have a claim for \$110 on Elliott/West End, where there is a discussion or an argument that the Equitable Gas Company says it is the City and the City says it is Equitable,

when they come up with the final decision and we had to foot the bill, I think we ought to be told that, we ought to be told why. Just a five minute briefing, we're bright enough to understand it, to ask some questions. Don't you think that would be the right way to go and save us a lot of hassle here?

### **The Chair:**

I have no problem with that.

### **Mr. Flaherty:**

I want to ask Councilman Givens how long he would want to study the bill?

### **Mr. Givens:**

Well Tom, I think there is almost a hundred people who made depositions, but I'm saying they called up every fireman who was at the scene of the fire, I am keying in on key depositions, the Chief, the Battalion Chief, the first ones to arrive, the people who were in the warehouse itself, fire underwriters, whatever you know, depositions we can get from them, and ascertain to myself that our legal department, like any department, did they not leave any stone unturned in investigating in trying to get the best position for the City of Pittsburgh. That is primary. This Wednesday I think would be — it would take, I think, a person, a good week of solid research I think to come up with some type of conclusion, and then that is not the end conclusion, one has to then taint that through the eyes of an attorney and that of a jury to come up with the final decision. I think what our Law Department did is they have made this evaluation and they are telling us this is the way to go. But, before I will give my hand of approval on that, I feel that I have an obligation to investigate it.

**Mr. Flaherty:**

Well, how long is the overall time period, is it going to be one week or two?

**Mr. Givens:**

I need one week, meaning, give me a week and I'll be fine.

**Michelle Madoff:**

Mr. Stone, some of the attorneys assigned to Council, or that you know of in the private sector that really do a lot of this kind of litigation, is there anybody who is outstanding that you might recommend that could take a look as a consultant to the City?

**Mr. Stone:**

They're all outstanding, but I think in this particular --

**Michelle Madoff:**

They're not all as outstanding as you are --

**Mr. Stone:**

That's true, but aside from that I think that no one is more expert in this particular thing than our City Law Department who is being paid to be such.

**Michelle Madoff:**

Well, I would like to get a second opinion, its a national hereditary characteristic -- I would like a second opinion. Before my appendix is out I want a second opinion.

**Mr. Stone:**

That one has, probably right now, if there are seven lawyers involved, seven lawyers plus the Judge, it has eight

opinions right now and that is why the Judge, in bending the arms of everybody came to this kind of a settlement which is in the best interest of the City of Pittsburgh.

**Michelle Madoff:**

True, but what we are saying is that it is opening the floodgates, it could cost us more in the long run.

**Mr. Stone:**

If you know how Judge Del Sole operates --

**Michelle Madoff:**

He is a fine, fine Judge.

**Mr. Stone:**

That's right, and he has the ability to have people compromise in their best interest.

**Michelle Madoff:**

But will it be in the best interests if we open the floodgates, that is the question.

**Mr. Stone:**

Well, we're not opening the floodgates, I think you have to take this one as, right now, the City of Pittsburgh has some potential liabilities and if they have them, then potentially they stand a chance in this kind of a case of getting hit pretty hard, and I'm not saying you don't do something in the future, I'm saying, based on what is before me and based on the fiscal problems that we have facing us, we can ill afford to be placing, fooling around with one that has so much potential danger as this one before us right now.

**Michelle Madoff:**

I think what I hear you saying is that it is a no win situation. That if we don't settle we could get hit a lot harder, even though we may not be guilty, even after what Mr. Givens has read and he feels maybe we weren't at fault, it is a no win situation.

**Mr. Stone:**

Well you know, in a free society you have a right to say no, but somewhere along the line when it goes to a jury trial and they bring back a decision, at that time you can't compromise your faith with where it is and many people have lived to regret their earlier decisions which later became more drastic than the one that was recommended, then I was just kind of picking up the recommendation of the City Law Department under the circumstances here and knowing the Judge that was involved in it, I cannot help but feel that the City of Pittsburgh, taking all of the circumstances at this present moment, it is in their best interest to make this payment now. We also have a compromised effect in the sense that it will go over two years. Now, ordinarily when you owe money you pay it right away, you don't get the luxury other than through settlement, to pay it when you feel like it.

**The Chair:**

We have a motion on the floor and we have a second, okay?

**Mr. Flaherty:**

Yes, I have a question, Councilman Stone, in your professional opinion, could you give Council the chances of the possibility of this compromise crumbling in a week's time?

**Mr. Stone:**

First of all, I would not give you my professional services because you are not paying for it. Secondly --

**Mr. Flaherty:**

Well, the people are.

**Mr. Stone:**

No, they are not paying for it, they are paying for City Council services, and I don't want to put my --

**Mr. Flaherty:**

Well, your Council services.

**Michelle Madoff:**

You only get what you pay for, remember that.

**Mr. Stone:**

Maybe it gets down to what I am exactly saying -- earlier to Mr. Givens and I didn't mean to be offensive. If I were now to read what Mr. Givens attempted to read today, the depositions and the other things, I would not there still be qualified to render an opinion. The only way you can render an opinion over those seven or eight lawyers who were involved plus the Judge, is to know all the facts and circumstances. Since I am not privy to that I don't want to attempt to be someone who is a magician and can foresee everything that is there that I haven't even seen. But I do know at this point in a kind of general fashion, that considering from what I see here and taking the recommendations that come from the Law Department, and from Judge Del Sole, it would appear to me that we have no choice at this point, that is if we are thinking this through.

**Mr. Givens:**

But see Bob, the Law Department doesn't pay that bill, the Judge doesn't pay that bill, it is the people of the City of Pittsburgh, through their elected officials, meaning this Council and the Mayor of the City of Pittsburgh are the only ones that are able and allowed to pay that bill and because of that I think we have an obligation, I have to agree with you, after I look into it a little bit myself, I don't claim to be an expert or an attorney or a firefighter for that matter, but at the same time I feel that we should at least look over it and ask a few simple questions and try to get a few simple answers and if our curiosity is satisfied, then proceed.

**Mrs. Masloff:**

Mr. Givens, I want to point out that if this should go to a jury, juries are very unsympathetic to the City and I would be very, very fearful that this could cost us a lot of money in the end and I don't think we have the luxury of gambling with a jury.

**Mr. Givens:**

I'd have to remind you that those people that are fierce against the municipal governments, especially that of the City of Pittsburgh will in fact, be paying the money for this particular charge.

**Michelle Madoff:**

They don't know that.

**Mrs. Masloff:**

They're not allowed to say that to the --

**Mr. Givens:**

Well they don't know that, you say they don't know that, but I think people are intelligent enough to know that if the City pays for that particular bill that we're not going to get it from Uncle Sugar, its going to come right out of their tax paying dollars. If you look at -- and someone threw the curve ball at me, you know, what if we lose this particular case and it ensued and went forward, how many millage would that put on our land and buildings in the City of Pittsburgh and we think of \$10 - \$12 Million, its going to put on a couple extra mills. Put it in that light and people then think a little bit differently and the fact that govenment is so vulnerable, I don't think so, I think it is the way the attorneys present their case.

**The Chair:**

Okay, we have a motion and a second to recommit Bill No. 2402, let's have a roll call vote.

**Michelle Madoff:**

One week Mr. President?

**The Chair:**

One week Mr. Givens asked for.

Is there any further discussion on the recommitment?

And on the question, "Shall the bill be recommitted?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Noes:



Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 3

NOES 5

And a majority of the votes of Council not being in the affirmative the recommittal failed.

**Michelle Madoff:**

Mr. President, do we need a resolution, or just a request for a letter to have an update from Mr. Imhoff of Building Inspection on what we are going to do about other warehouses and sprinklers, which is my great concern.

**The Chair:**

No we don't need a resolution, we'll ask him to come in and talk about it.

**Michelle Madoff:**

Fine.

**The Chair:**

Now we will have a vote on the bill itself.

Is there any further discussion on the bill?

**Mr. Givens:**

I will abstain for the obvious reason, that I have not had sufficient time to look into this particular matter and in no way am I going to extend \$824,000 to anybody until I get all the detailed information on that.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7

NOES none

(MR. GIVENS ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 2453

Report of the Committee on Planning, Housing and Development for January 14, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2349

A Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A(44) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the Pennsylvania Bureau of Corrections to continue to use the existing structure identified as 501 N. Negley Avenue as a Group Care Facility, on property zoned 'R4' Multiple-Family Residence District, 11th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**The Chair:**

I would just like to make mention that Mr. Lally is in the audience.

**Mr. Lally:**

I thought I'd stop by and say hello.

**Michelle Madoff:**

Nothing has changed much.

**Mr. Lally:**

No it hasn't, I was sitting back there and it is still the same as it was four years ago.

**Michelle Madoff:**

"Jeep" and I are still working up an act, we're going to do 14 weeks in Vegas.

**MOTIONS AND RESOLUTIONS**

**The Chair presented**

Bill No. 2454 WHEREAS, the City of Pittsburgh has always been a national leader in engineering whether it be research or in actual practice; and

WHEREAS, the City of Pittsburgh wishes to recognize the over fifteen thousand engineers and scientists represented by over forty technical societies such as the National Society for Professional Engineers which sponsors "Engineers' Week" and the Engineers' Society of Western Pennsylvania who are celebrating their 100th anniversary this year; and

WHEREAS, the City of Pittsburgh recognizes the achievements of the many notable engineers such as Dr. E. D'Appolonia, winner of the Engineers' Society of Western Pennsylvania William Metcalf Award for Outstanding Engineering Achievement; and

WHEREAS, the City of Pittsburgh recognizes the winner of the Pittsburgh Chapter's PSPE 1980, Professional Engineers' Distinguished Service Award, The Honorable Richard S. Caliguiri, Mayor of the City of Pittsburgh; and

WHEREAS, the theme of National Engineers' Week is "Engineers + Opportunity = Progress", makes this year's theme an appropriate focus for this Renaissance City.

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the week of February 22nd to the 28th, 1981 as "Engineers' Week" throughout the City of Pittsburgh and expresses our appreciation for the achievements of those engineers who

have done so much in bettering their communities and in contributing so extensively to the vitality and progress of the City of Pittsburgh.

**Michelle Madoff:**

Is it true the engineers are going to have their convention here? The ones they have been having in Chicago all these years? The Pittsburgh Engineers Society? That was a funny thing.

**Mr. Stone** moved for adoption.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Two items Mr. President, I thought it might be interesting for this Council that in the Post Gazette on Thursday, January 15th by Tom Hritz, there is a very interesting article, if anybody missed it I think everybody should have a copy of it. It is the "Killing Smut - a Slow Mission", and it talks about what I think I referred to once before in Council about Heinz Hall, excuse me, Heinz Foundation buying out a lot of the — and probably paying more than they are worth for some of the porno parlors, etcetera. This goes back to, you cannot legislate morality but you sure can do something about zoning it out of business and I would like to share that with Council, see that everybody gets a copy. As a matter of fact, they were kidded that they went into the porno business and they were a little upset about it, the Heinz people, and they were paying more for some of the places because porno does bring in a lot of money and it was a difficult decision — a difficult price.

I have a letter that I would like to share with all members of Council, so I'll

pass it down, this came at my desk today. It is addressed to Michelle Madoff and it is signed, "a senior citizen from Brookline, 15226":

"Michelle Madoff:

You are thinking of running for mayor of our City if you make it or not which I hope you do."

which is irrelevant...

"Please do a little more for senior citizens than the Mayor we have now is doing.

All his attention is on downtown Pittsburgh. He sure forgets about the streets in Brookline, we have nothing but hills. If the City does not come around and salt or cinder them we senior citizens can't get out. We have not been in church since Christmas, even Christmas we could not get there.

Now here is another one. I was in the City-County Building today to pay my taxes. Did you ever see such a dirty place? I should say it was filthy, not dirty. It needs painting, it needs scrubbing, window cleaning.

If I had to work there I would only stay one day. I would be afraid to carry some bugs home from the building.

And where the men take your money for taxes, that is a disgrace. Yet all there were paying taxes were senior citizens. Some paid \$800 - \$900 - \$700. Where does all that money go? I'm sure the people that work there, their homes are not that dirty. Please show this to the Mayor and also Mr. Stone."

but I think Council ought to see it...

"You know if I had company from out of town I would be so ashamed of our

City-County Building to show them how dirty the building is and how people have to work in filth."

The reason I bring it up is that Mike Perry and I have been speaking about the possibility of Council having a person who would clean up even our Council Chambers. He doesn't get his office cleaned. My office, I have chairs that have dust on the chairs, I need a hand vacuum, I do it myself. The halls have cigar butts in them, they look like dog turds, the place is absolutely unbelievable. I don't understand how our building, even after the Flaherty massacre when they fired all the little old people, we have less people now than we ever had before cleaning in this building. Now we have people out on compensation or whatever the reason is but that is not an excuse, when people feel -- this isn't the first letter and I'm sure every member of Council has had twenty that are worse than this, I'm sure I'm not the only one getting these letters. I think we have to somehow, and this Council is the legislative body, make some arrangements. We're changing horses now, Mr. West is gone, that was his responsibility and I think we have, as a body, to say we want this building cleaned, and someone there constantly cleaning.

That piece of statuary ought to be hosed down once a day. The steps ought to be hosed down once a day, you come in this building, go out an hour later, the filth on that first floor is unbelievable, and that restaurant with those dirty, rusty trays, tell them to get some plastic clean trays. It is a disgrace that we represent this City and I think the person makes a very valid point, that when you bring somebody in here you are ashamed and I would like to -- I don't know what to do, I brought it up over and over again, I don't see anything happening unless the President of Council says, "I

want this place clean", and speaks to somebody about getting some help.

#### **The Chair:**

As Nixon said, "We won't have West to kick around anymore, so let them blame somebody else".

#### **Michelle Madoff:**

Well, I hope the next one doesn't need kicking around, I hope he's a self starter.

**Mr. Stone** moved to approve the minutes of Monday, December 29, 1980, Monday, January 5, 1981 and Monday, January 12, 1981.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Robinson**

Council adjourned.

# Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JANUARY 26, 1981

No. 4

## Municipal Record

### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGÈNE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAY**...Ass't City Clerk

Pittsburgh, PA  
Monday, January 26, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale (Pres't)

**ABSENT:** Michelle Madoff  
Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Givens presented**

No. 2454 Resolution providing for

the issuance of a warrant in favor of Envirex, Inc., in the amount \$24,475.00 for the emergency purchase of fiberglass flights furnished to the Department of Water, without previous authority of law, chargeable to and payable from Capital Project No. W 77-8, Pintle, Chains and Sprockets for Water Filtration Plant (4-05-25-1110-7) Department of Water.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 2455 Resolution authorizing the issuance of a warrant in favor of Trumbull Corporation in the amount of Seventeen Thousand Six Hundred and Forty (\$17,640.00) Dollars in payment for "Extra Work" in connection with the rehabilitation of various streets and parks, roads, etc., - "B" Program, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 2456 Resolution authorizing

the issuance of a warrant in favor of Trumbull Corporation in the amount of Nine Thousand Five Hundred Eighty-Three Dollars and Forty-Seven (\$9,583.47) Cents in payment for "Extra Work" in connection with the rehabilitation of Herron Avenue, Bigelow Boulevard to Centre Avenue, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 2457 Resolution authorizing the issuance of a warrant in favor of Trumbull Corporation in the amount of Thirty-Eight Thousand Three Hundred (\$38,300.00) Dollars in payment for "Extra Work" in connection with the rehabilitation of Herron Avenue from Bigelow Boulevard to Centre Avenue, furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2458 Resolution providing for an Agreement or Agreements for the purchase of right-of-way, design and replacement of the Duquesne Incline Pedestrian Overpass, and providing for the payment of the cost thereof, not to exceed \$4,500.00.

Also,

No. 2459 Resolution providing for an Agreement or Agreements with Michael Baker, Jr., Inc., for professional services in connection with a preliminary permit for hydroelectric facilities at the Allegheny River Lock and Dam No. 2; and providing for the payment of the cost thereof, not to exceed \$2,500.00, payable from PW 81-38, Engineering

Service Contracts, Department of Public Works.

Also,

No. 2460 Resolution providing for an Agreement granting to Mr. George Halaja of 4271 Evergreen Road, Ross Township, the privilege to tap into the City sewer on Evergreen Road. Tap-in fee to be set at Three Hundred Sixty (\$360.00) Dollars, payable to the City Treasurer.

Also,

No. 2461 Resolution further amending Resolution No. 596, approved 6/27/79, effective 7/2/79, as amended by Resolution No. 807, approved 8/19/80, effective 8/25/80, entitled, "Providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for design, right-of-way acquisition and construction reimbursement to the Commonwealth in connection with the Noblestown Road slide correction, etc.", by decreasing the allocation from \$175,000.00 to \$141,750.00.

Also,

No. 2462 Resolution amending Resolution No. 1430, approved 12/29/80, effective 1/1/81, entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program," by adding a new project line item, and adjusting the summary totals.

Also,

No. 2463 Resolution further amending Resolution No. 1249, effective 11/3/78, as amended by Resolution No. 1522, effective 12/31/78, as amended by Resolution No. 422, effective 11/11/79, as amended by Resolution No. 329, effective 4/25/80, entitled, "Providing

for a Contract or Contracts for the replacement of the Herron Ave. Bridge, PW 78-13, and providing for the payment of costs thereof," by decreasing the authorized amount from \$2,708,229.80 to \$2,674,519.32.

Also,

No. 2464 Resolution further amending Resolution No. 80, approved 2/15/80, effective 2/22/80, as amended by Resolution No. 1062, approved 10/20/80, effective 10/23/80, as amended by Resolution No. 1291, approved 12/8/80, effective 12/11/80, entitled "Providing for a Contract or Contracts or the utilization of existing Contracts, authorizing the resurfacing of various City Streets and Park Roads, etc., by increasing the project amount from \$3,225,000.00 to \$3,300,000.00.

Also,

No. 2465 Resolution providing for a Contract or Contracts or the use of existing Contracts, for the Jancey Street Sewer reconstruction, from a point 40'± West of Greenwood Street to a point 300'± West of Martha Street, and other work incidental thereto; and providing for the payment of the cost thereof, not to exceed \$160,000.00, payable from PW 81-29, Sewer Repairs-Variou Locations.

Also,

No. 2466 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of electric self loading skeet traps for the Police Department, the cost of which is not to exceed \$2,700.00, chargeable to and payable from Code Account No. 1449-1, Firearms Training Supplies, Department of Police.

Also,

No. 2467 Resolution vacating portions of Market Street, Fourth Avenue, Filter Way, and Chancery Lane, 1st Ward, City of Pittsburgh, in accordance with the provisions of the Market Square Redevelopment Area Plan and the Market Square Cooperation Agreement.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 2468 Resolution amending Resolution 1589, December 31, 1978, by increasing the appropriation for Project WD-79 - 60" Lowrie Street Repair Bin Wall and decreasing appropriation for Project WD-79-06 - 12" Line Boundary Street, Repair.

Also,

No. 2469 Resolution amending Resolution No. 1126, approved 11/3/80, entitled, "Providing for a contract or contracts for Water Line Protection of the 60" Water Line at Lowrie Street and providing for the payment of the cost thereof", by increasing the appropriated amount from \$100,000.00 to \$175,000.00, chargeable to and payable from the 1979 C.B.A. WD-79-03 (4-05-12-1026-79).

Which were read and referred to the Committee on Water.

#### **Mrs. Masloff presented**

No. 2470 Resolution providing for an agreement or agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to the residents of Pittsburgh during the year 1981 and providing for the payment of the cost which is not to exceed

\$15,000.00, and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 2471 Resolution providing for agreements or use of existing agreements for personal and professional services and for a contract or contracts or use of existing contracts with the South Oakland Youth League for implementing the 1981 Summer Recreational Cultural Program and providing for the payment thereof not to exceed \$2,050.00.

Also,

No. 2472 Resolution providing for agreements for personal and professional services and for a contract or contracts, or the use of existing contracts for implementing the Neighborhood Festivals Program and providing for the payment thereof, cost not to exceed \$4,000.00.

Also,

No. 2473 Resolution providing for an agreement or agreements with the Pittsburgh Rockets Drum & Bugle Corps to provide a music education and recreation program for youth in the City and providing for the payment of the costs thereof which shall not exceed \$12,400.00 and shall be chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Also,

No. 2474 Resolution providing for an agreement or agreements with Ozanam Cultural Center for professional services for a recreational, cultural, and

educational program for residents of the City of Pittsburgh and providing for the payment of the costs thereof. Cost not to exceed \$35,000.00.

Also,

No. 2475 Resolution providing for an agreement or agreements with the Pittsburgh Opera, Inc., for the furnishing of opera performances to the residents of the City of Pittsburgh during 1981 and providing for the payment of the cost which is not to exceed \$9,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 2476 Resolution providing for an agreement or agreements with the Three Rivers Arts Festival of Carnegie Institute in connection with the 1981 Summer Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof, not to exceed \$5,000.00.

Also,

No. 2477 Resolution providing for an agreement or agreements with the Duquesne University for the furnishing of dance performances to the residents of the City of Pittsburgh during 1981 and providing for the payment of cost which is not to exceed \$10,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Also,

No. 2478 Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of the City of Pittsburgh during the year



1981 and providing for the payment of the cost which is not to exceed \$47,000.00, and is chargeable to and payable from Code Account 1833, Recreational Activities, Concerts.

Also,

No. 2479 Resolution providing for an agreement with the Pittsburgh-Allegheny County Cultural Alliance for professional services and providing for the payment of the cost which is not to exceed \$10,000.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation.

Also,

No. 2480 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Development of Lion, Tiger and Rhinoceros Exhibits at the Pittsburgh Zoo.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 2481 Resolution providing for an Agreement or Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program; and providing for the payment of the cost thereof, cost not to exceed \$50,000.00.

#### **Mr. Robinson presented**

No. 2482 Communication from Stephen A. George, Executive Director,

Urban Redevelopment Authority, submitting a report titled "Position and Salary Report as of December 31, 1980" consisting of names, positions and salaries of all employees of the said Authority as of December 31, 1980.

Which was read and referred to the Committee on Finance.

Also,

No. 2483 Resolution providing for Issuance of Certificate of Appropriateness. Work to be done on exterior of 430 & 436 Market Street, Block and Lot 1-D-165, Market Square Historic District, 2nd Ward.

Also,

No. 2485 Resolution amending Resolution No. 76, approved February 15, 1980, effective February 22, 1980, providing for an agreement or agreements with Allegheny Real Estate for Management Services in connection with the Innovative Grant - Residential Clubs Program by reducing the total amount authorized to \$8,964.48.

Also,

No. 2484 Resolution amending Resolution No. 251, approved April 7, 1980, effective April 11, 1980, providing for an agreement or agreements with the Environmental Intern Program/Lower Great Lakes for one intern to provide staff assistance in connection with the Department of Housing's programs, at a cost not to exceed \$15,195.00, chargeable to and payable from the Department of Housing CDHDA (HD-79-08) by reducing the total amount authorized to \$5,155.00.

Also,

No. 2486 Resolution authorizing the acquisition by the URA of publicly-

owned properties in the 10th, 18th, 21st, and 26th Wards of the City of Pittsburgh.

Also,

No. 2487 Resolution authorizing the URA to acquire property in the 18th Ward, Block and Lot No. 15-L-264 from Gerald Born, et al, under Residential Land Reserve Fund.

Also,

No. 2488 Resolution authorizing URA to acquire property in the 18th Ward, Block and Lot No. 15-H-185, from Sylvester McGee, et ux, under Residential Land Reserve Fund.

Also,

No. 2489 Resolution authorizing URA to acquire Block & Lot 15-G-248 in the 18th Ward from William E. and Mildred E. Leap, under the Residential Land Reserve Fund.

Also,

No. 2490 Resolution authorizing the URA to acquire Block & Lot 22-P-270 in the 21st Ward from Joseph J. and Judith Mangine, under the Residential Land Reserve Fund.

Also,

No. 2491 Resolution authorizing URA to acquire Block and Lot 50-B-283, 10th Ward, from Minnie Harrell - Residential Land Reserve Fund.

Also,

No. 2492 Resolution authorizing URA to acquire Block and Lot 15-H-156, 18th Ward, from Progressive Home Federal Savings and Loan Association - Residential Land Reserve Fund.

Also,

No. 2493 Resolution authorizing URA to acquire Block and Lot 19-M-62, 20th Ward, from Dorothy J. Elkovitz, under Residential Land Reserve Fund.

Also,

No. 2494 Resolution authorizing URA to acquire Block and Lot 15-H-174, 18th Ward, from John R. and Sarah A. Reed, under Residential Land Reserve Fund.

Also,

No. 2495 Resolution authorizing URA to acquire Block and Lot 15-H-186, 18th Ward, from Willie and Annie Lee Sanders - Residential Land Reserve Fund.

Also,

No. 2496 Resolution authorizing URA to acquire Block & Lot 22-D-10 in the 25th Ward from Leon and Syrietta Lewis, under the Residential Land Reserve Fund.

Also,

No. 2497 Resolution authorizing the URA to acquire Block & Lot 46-B-205 in the 26th Ward from Richard E. and Patricia O. Lewis, under the Residential Land Reserve Fund.

Also,

No. 2498 Resolution approving the sale of Block 46E, Lots 81, 85, 97, 100, 107, 113, 131, 133, 134, 135, 136, 137, 138, 139, 140, and 141 in the Twenty-Sixth Ward of the City of Pittsburgh by and between URA and Infil Housing Corporation for \$12,000.00 - Residential Land Reserve Fund.

Also,

No. 2499 Communication from Edward deLuca, Director, Department of City Development, requiring reimbursement of \$60.00 for cost of attending meeting of Society of Industrial Realtors, December 10, 1980, payable from Economic Development Planning Program Trust Fund, Department of City Development.

Also,

No. 2500 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Jane Downing to attend NAHRO Legislative Conference, Washington, DC, February 7-10, 1981, at cost not to exceed \$350.00 payable from Code Account CDPA 1980, Department of City Planning.

Also,

No. 2501 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Raymond Reaves to attend APA Police Conference and HUD briefing, Washington, DC, February 8-10, 1981, at a cost not to exceed \$500.00 payable from Code Account CDPA 1980, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Stone** presented

No. 2502 Resolution providing for an Agreement or Agreements with File System Specialists or Consultants for professional services in the implementation of a new Numeric Color Code Filing System designed from computer processed tax account information in connection with Employer Withholding Earned Income and Occupation Tax Accounts and Registered Business Tax Accounts; and providing for the payment of the cost thereof not to exceed \$15,500.00.

Also,

No. 2503 Resolution providing for an Agreement or Agreements with Central Medical Health Services, Inc., to provide upgrade training for three (3) current employees and providing for the payment of the costs thereof not to exceed \$1,384.50.

Also,

No. 2504 Communication from John E. Gabriel, Executive Director, Commission on Human Relations, requesting permission for James Johnson and William Mitchel to attend Community Organization Conference, Howard University, Washington, DC, January 30-31, 1981, at a cost not to exceed \$325.00 payable from Code Account 1035, Miscellaneous Services, Commission on Human Relations.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Robinson** for **Mr. Stone** presented

Bill No. 2505

Report of the Committee on Finance for January 21, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2363

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Raymond Hughes and Son, Contractors, in the amount of \$725.00 in payment for extra work furnished for the benefit of the City in connection with installation of sidewalk at No. 3 Police Station; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2373

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pittsburgh Testing Laboratory in the amount of Six Hundred Eighty Two Dollars and Thirty-Three Cents (\$682.33) as payment for the retainage due for Professional Engineering Services in connection with the inspection of the fabricated structural steel for the South Aiken Avenue Bridge."

Which was read.

Also,

Bill No. 2374

A Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Trumbull Corporation in the amount of Seventy-Eight Thousand Seven Hundred Fifty (\$78,750.00) Dollars in

payment for 'Extra Work' in connection with the Rehabilitation of Herron Avenue from Bigelow Boulevard to Centre Avenue, furnished for the benefit of the City without previous authority of law, and providing for payment thereof."

Which was read.

Also,

Bill No. 2381

A Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Homelite - Division of Textron, P.O. Box G-10861, Newark, N. J. 07101, in the amount of \$329.34 in payment for Repair of a Generator furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2382

A Resolution entitled, "Resolution authorizing the issuance and payment of a Semi-Final Estimate to United Landscape Contractors, in conjunction with the Rehabilitation of Ballfield Playing Surfaces at Various Locations, Controller's Contract Number 24770, and reducing the retained percentage from Ten (10%) Percent to Five (5%) Percent."

Which was read.

**Mr. Givens:**

We were to be provided a list on this bill, No. 2382, on the various locations, did that ever come in to you Mike?

**Mr. Perry:**

I haven't received that.

**Mr. Givens:**

Well, I don't want to hold up payment on it, but we were supposed to get a list if you can recall, last Wednesday, was that from Louise Brown? No, that was from Michelle Madoff. Sophie can you remember that?

**Mrs. Masloff:**

Which bill?

**Mr. Givens:**

Bill No. 2382, that is on the various locations of ballfields, you know, they don't specifically name them and I can recall Bob Stone saying that on this bill and some other bills where they say, "in various locations", we wanted that attached to the bill.

**Mrs. Masloff:**

Yes, well, so then do you want a list of them?

**Mr. Givens:**

We asked for a list and it was supposed to be here before this Monday and I didn't know if Mike --

**Mr. Perry:**

I don't think she was supposed to have it here by this Monday, he just indicated that he would like to have it.

**Mr. Givens:**

Well, in the future, and he wanted one for this thing, I thought we were supposed to have it by Monday.

**Mr. Perry:**

No.

**The Chair:**

Well why don't we hold it for a week?

**Mrs. Masloff:**

We'll get it.

**The Chair:**

Well, if you are not satisfied, let's hold it for a week, I don't think it is the end of the world anyway. Do you want to hold it for a week?

**Mr. Givens:**

No, we'll just pass it, these people have been waiting for their money "Jeep", I don't want to hold them up.

**The Chair:**

I understand that too, but if they agreed to submit the list they should have submitted it. We go through that all the time.  
Also,

Bill No. 2403

A Resolution entitled, "Resolution providing for the issuance of a warrant to Domenic DiLucia, c/o Robert J. Trageser, Esquire, Chatham Center Apartment Tower, Professional Suite, Pittsburgh, PA 15219, in the amount of \$1,500.00 in full settlement of lawsuit wherein Mr. DiLucia claimed property damage and personal injury and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 6                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2404

A Resolution entitled, "Resolution providing for an Agreement or Agreements with various hospitals and/or physicians for professional services in connection with the administration and evaluation of medical examinations and tests for the Civil Service Commission's Medical Examination Program for Police Officer candidates, Fire Fighter candidates, and other candidates for employment and promotion." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2405

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Psychological Service of Pittsburgh for professional services in connection with the research, preparation, evaluation, administration, and validation of Civil Service entrance and promotional examinations." (AS

AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2406

A Resolution entitled, "Resolution providing for an Agreement or Agreements with Joseph M. Mazzei, M.D., for professional services in connection with the examination of candidates for employment as police officers, firefighters, paramedics, and extra helpers; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Givens:**

Yes, I have a question on, Mike, those three bills that you read that have changes of money, was that in committee, or was that --

**Mr. Perry:**

That was done in committee.

**Mr. Givens:**

Pardon me?

**Mr. Perry:**

That was amended in committee.

**Mr. Givens:**

It was?

**Mr. Perry:**

Yes.

**Mr. Givens:**

I can't recall that.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2506

Report of the Committee on Public Works for January 21, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2375

A Resolution entitled, "Resolution repealing Resolution No. 1353, approved 12/18/80, effective 12/23/80, entitled, 'Providing for an Agreement or Agreements with the Port Authority of Allegheny County and the Urban

Redevelopment Authority for Consulting Services in conjunction with Transportation Coordination for the Central Business District, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2376

A Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for the reimbursement to the Commonwealth for the City's share of costs of construction and improvements on Legislative Route 120, Section 70M, known as Forbes Avenue, within the City of Pittsburgh, updating signals, removal and replacement of the street lighting system and construction of handicap ramps, and providing for the payment of the cost thereof.

Which was read.

Also,

Bill No. 2377

Resolution entitled, "Resolution granting unto William R. Sawyer, his successors and assigns, the privilege and license to continue to maintain and use at his own cost and expense for the duration a portion of a structure at 508 North Saint Clair Street encroaching on Mathews and Lamb Ways, in the 11th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2378

Resolution entitled, "Resolution

providing for a contract or contracts or an existing contract for repairs to the Murray Avenue Bridge, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 2507

Report of the Committee on Planning, Housing & Development for January 21, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2350

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection

with the Lemington Home for the Aged Urban Development Action Grant Project: providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Lemington Home for the Aged Urban Development Action Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2351

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Pittsburgh Neighborhood



Revitalization Urban Development Action Grant Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Pittsburgh Neighborhood Revitalization Urban Development Action Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Givens:**

Mr. Robinson, on Bill No. 2351, it was so indicated that — did we check with the Law Department and where we put on page two, "prior to the execution of any agreement or contract, Council shall receive and approve the UDAG Grant", and the question was, I think Wednesday, that was raised on that bill by Bob Stone was, you know, are we legal in doing this? Does this impair in any way with the ongoing processes of the UDAG Grant? Do we have the authority to do this in other words?

**Mr. Robinson:**

I'm going to make a motion on Bill No. 2351 and 2400, to remove the amendment to Section 3 and after that action is taken I have another motion I would like to make.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Givens**

Did they tell you you can't do it or what?

**Mr. Robinson:**

Mr. Mulvihill's legal opinion I think is somewhat confusing. I think he is confusing approval with review, but the time limit that we are operating under indicates that if we do not take some action prior to the end of this month, we'll jeopardize the application process. The issue at hand is not important enough to continue to discuss it with the Law Department, I think whatever difficulties were envisioned can be handled during the negotiation process. Mr. Lurcott advised me that there will be a review committee established and that he is in the process right now of working on the suggestions and also some of the concerns that the individuals had specifically about the neighborhood housing program, but also in the general sense, relative to the Stanfield Project.

Also, on this bill I would like to submit for the record, the response that Mr. Lurcott's office prepared relative to the Neighborhood Housing Program as well as a couple of evaluations that we received from citizens groups.

**RESPONSE FROM MR. LURCOTT'S OFFICE RELATIVE TO NEIGHBORHOOD HOUSING PROGRAM:**

January 14, 1981  
Mr. Robert Erickson  
Brashear Association  
2005 Sarah Street  
Pittsburgh, PA 15203

Dear Mr. Erickson:

This is in response to several letters which we have received from concerned South Side groups regarding the Neighborhood UDAG Program. Because many of the same points are covered in the various letters, I will respond to all of them here.

We appreciate your deep concern regarding the Neighborhood UDAG Program. Below I have attempted to answer the specific points those letters have raised. However, some of the details regarding the program are still not resolved due to the recent passage of the 1980 Revenue Adjustment Act which deals with tax exempt bond financing. Because regulations have not yet been issued dealing with this act, some of the points in the legislation are not completely clear. Therefore, we do not know yet whether we will have to sell taxable bonds, or as a third option, simply use bank funds.

In any case, assuming a 15% market rate, it remains our intent to subsidize the programs down to 10% and 6%. If we use the tax exempt bond approach, renters will not be served under it because of provisions in the 1980 Act. Rather, UDAG funds will be used to subsidize a separate but coordinated program which would call upon bank funds for the mortgages. If this is the case, the rental component of the program would be operated under the same rules as the present RHIP Program including rent controls.

Following is a response to the points raised in the letters from you:

1. All of the funds generated under this program will be used to lower the mortgage rates for those wishing to acquire and rehabilitate housing. A small amount of this money will, of course, be used to pay for the cost of selling bonds and to administer the program. There does not appear to be sufficient leverage to use any of the money for public improvements such as was done in the North Side.

2. The City, subject to State restrictions, is able to choose the income level it wishes to subsidize with the

UDAG funds, although this is being focused on low and moderate income persons.

3. The closing costs will be handled as part of the mortgage payments and therefore, subsidized. The minimum down payment required will be 5% of the acquisition cost.

4. The credit standards required of buyers will depend on whether FHA or private mortgage insurance is used. In either case, the appropriate standards must be met. All the mortgages will be sold and none of them will be treated like the agency loans under the HILP.

5. No additional income restrictions will be imposed other than the \$30,000 income limit. This restriction will be the same for all neighborhoods.

6. While we will monitor the expenditure of funds by neighborhood to ensure that no drastic imbalance is being created, we will not at the beginning allocate funds to specific neighborhoods. Administratively this would be very difficult since all banks would have to use some sort of clearing-house procedure to make sure that the neighborhood allocation was not being exceeded.

7. We feel that in addition to the high cost of money, acquisitions and rehabs in the neighborhoods which are targeted for the program, are occurring at too low a rate because of soft demand. Therefore, we do not wish to limit the program solely to those who are currently residents of those neighborhoods. Because Oakland is unique due to the institutional pressure on housing, we are excluding rental housing in that area.

8. While the ratio of UDAG subsidy to mortgage obligation does not work exactly as you have suggested, the

differential interest rate will achieve the same goal.

9. The UDAG subsidy will be applied at the closing of the mortgage. This deferred equity payment loan will achieve the desirable goal of reducing the principle amount due monthly. Banks, traditionally, have never viewed grants, even under our NHP, as equity.

10. With respect to forgiveness of the loan, we feel that the basis of the City's involvement in mortgage financing calls for an equity participation position. Such a position permits us to participate in the general improvement of the neighborhood and thus, appreciation of the housing stock for which the public accepted some of the risk.

11. The suggestion that the interest rate should float, we feel would be harmful to lower income people who would not be able to withstand any significant increase in the rate.

12. We feel that the notion of pre-marketing and counseling being made available to neighborhood residents is a good one and will be incorporated into the program. With respect to the Neighborhood Legal Service, it is our understanding that they are currently funded to deal with the issue you have suggested.

13. We have chosen not to form committees and establish offices with staff in each of these neighborhoods as was one on the North Side. We feel that a more efficient approach to the program will be centrally housed marketing staff which will be responsible for performing their function in all of the neighborhoods in cooperation with neighborhood organizations. This approach is in keeping with the streamlined nature of this UDAG. Specifically, the sole focus of this UDAG

will be to subsidize mortgages in the target neighborhoods. Therefore, given the desire by many of the neighborhoods to benefit from this type of program as well as with a great deal of support by organizations such as yours, we feel that this marketing effort will be sufficient to the task.

Again, we appreciate your substantial concern as evidenced by the questions you have raised. As we work through the unresolved issues, we will keep you informed.

Yours truly,  
Raymond Reaves,  
Deputy Director

**RESPONSE TO SUGGESTIONS MADE BY  
CITIZENS CONCERNING THE  
NEIGHBORHOOD REVITALIZATION  
UDAG PROGRAM:**

The primary goal of the program is to increase investment in the nine target areas of the City. The program is based on the assumption that investment in these areas is low because of two problems. First, high interest rates have priced many people out of the mortgage market. Second, as the City continues to lose population, we need a program which will provide an incentive to those who are looking for a home. If we can supply the competitive edge through a low interest mortgage, the target neighborhoods can compete more successfully for home buyers with other neighborhoods of the City and some suburban areas.

Citizen Participation

In the planning of the program, the community planners attended approximately 14 meetings in the target neighborhoods between late November and early December to discuss the UDAG program. In addition, a written response

was provided to Mr. Robert Erickson and Mr. Ken Kaleida who had requested specific information before the public hearing.

With respect to the administration of the program, it is the intention to provide reports to the neighborhood groups in the target neighborhoods regarding the number of loans, the type of applicants and other details which will ensure that the program is serving its goals. With respect to the administration of the program, there was a suggestion that a monitoring committee be formed in each neighborhood to establish guidelines and to oversee the program implementation. It is our feeling that due to the size and complexity of the program, an attempt to tailor the program for each of the nine target areas would be impossible. As with any large scale program such as this, there are a multitude of goals which can be served. We feel that the program is currently designed to serve the most important of those goals.

#### Comments on Those to be Served

There was a request to limit the program to owner occupants in several neighborhoods. It is our intention to do this in Oakland where the housing market is tight due to the institutional pressure. We are willing to try this in our neighborhoods; however, we feel that the lack of investment in these other areas is due not only to the high cost of money but also to general lack of interest in investment. Therefore, our expectation is that existing residents will take advantage of the program, but also that others who are looking to locate in the City may be encouraged to purchase a home in one of these neighborhoods because of the relatively cheap money that we are providing.

There was a request to permit existing tenants to have first choice in the purchase of their units. Where these

units are owned by the City this is possible; however, most of the units are owned by others and we cannot dictate who may purchase them.

There were requests to allocate a specific percentage of funds to each neighborhood and to allocate a percentage to low and moderate income persons for a specific period of time. With respect to both of these suggestions, we feel that this is impractical because of the various banks who will be involved in the program. Such allocation percentages would require that these banks check with each other before making the loan to make sure that allocation percentages are not being exceeded.

Instead, we plan to use a computer program which will indicate where the money is going and who is benefiting from it. If an imbalance between neighborhoods or between income groups is being created, we will act to reallocate the funds.

With respect to the income limit for eligible participants, there was testimony that the \$30,000 limit was too low, just right, and too high. Therefore, we feel that the original intention to permit only those now living in the neighborhoods, but to provide an incentive to those who may be considering purchasing in one of these areas, to be correct.

There was a suggestion to count assets as well as income in determining eligible applicants. Again, we feel that in addition to providing mortgage money to those currently existing in these neighborhoods, we wish to provide an incentive to those from outside the area to invest in them. Therefore, we do not care to make the requirements more onerous.

There were requests to pre-market the program in the target neighborhoods to provide the current residents who may be less sophisticated in financial matters, information about the program before the speculators would be informed about it. There was also a request to provide additional funds for the Neighborhood Legal Services to assist people in purchasing homes. We feel that the pre-marketing idea is a good one and will do this in cooperation with the neighborhood groups. However, Neighborhood Legal Services is currently funded to assist low income persons with legal matters. We do not feel that this program would present undue legal hardships and, therefore, do not plan to provide additional funds to obtain attorneys.

There was a request to provide Section 8 commitments to lower income tenants who may tend to be displaced by this program. While we do not feel that such people will be displaced, we are prepared to identify Section 8 commitments in case these are required.

With respect to rental units in general, if the program uses tax exempt bonds, we will not be able to use these funds for rental housing under the new Federal legislation. However, if this occurs, it is our intention to use a portion of the UDAG funds to subsidize bank loans to be used for rental structures. In this event, or in the event that funds are obtained from other sources, the rental component of the program, except in Oakland where it will not be offered, will operate much as the current RHIP Program. Specifically, 6% mortgage money will be available to those renting to low and moderate income tenants or to those who are rehabilitating vacant units. In addition, the rents will be controlled for a period of time.

With respect to the request to limit down payments to 5% and include the closing

costs in the subsidized amount, we will be able to accomodate both of these ideas.

There was a request that we permit the purchase of housing without rehabilitation. The Federal Department of Housing and Urban Development has indicated that they do not care for this because they wish the UDAG funds to be used to encourage rehabilitation and additional investment in neighborhoods. While we could appeal this ruling, it is our feeling that it is basically a good one. In addition, permitting low income persons to purchase dilapidated structures with the intention of rehabilitating them at a later date, we feel it is not a responsible position. Specifically, we are encouraging people to move into poor housing and, if repairs such as the furnace or roof are required, the person without the ability to finance the rehabilitation would either demand that the City provide additional assistance, or find themselves having defaulted on the mortgage and being forced to return to a less satisfactory rental situation. Regarding the request to limit the mortgage to \$40,000 to prevent over-investment in properties, we feel that the tendency to over-invest is minimal and will not cause a serious enough problem to require additional program guidelines.

#### Other Concerns

There was a request to permit non-profit developers to participate in the program. We feel that this would be possible if they cared to be involved in rental situations. However, in the case of home ownership, we wish to focus on persons who are able to assume the responsibilities of acquisition and rehabilitation since they will continue to be faced with these responsibilities during the time they are homeowners. Again, the distinction is made between

those who are capable of assuming the responsibilities of home ownership and those who may better remain renters.

With respect to the need to provide interim construction financing on a revolving fund basis, we are continuing to research this question. However, it is our feeling that most of the persons participating in this program will be small contractors and, therefore, will be able to provide the minimal up-front funds to meet this need.

Regarding minority participation, we are attempting to establish a City-wide fund which will provide the working capital necessary for minority contractors to participate in any of the UDAG areas. It is estimated that approximately \$1.5 million will be required for the neighborhood revitalization UDAG which, because of the already limited leverage, will have to be obtained from other funds. Perhaps the Unspecified Local Option Fund of City Council would be a possibility.

#### **EVALUATIONS FROM CITIZEN GROUPS:**

Robert Erickson, Director  
Neighborhood Development  
December 11, 1980

Ray Reaves, Deputy Director  
Community Planning

Dear Ray:

I would like to obtain a copy of your neighborhood UDAG proposal which you are presently planning to hold hearings on during the early part of January. Presently we have only received a one page summary of the proposal. However, this one page summary leaves many important questions unanswered. We would like to have a copy of the complete

neighborhood UDAG proposal prior to January 7 when the various South Side organizations hold their joint planning meeting.

If we cannot have a copy of this proposal would you please answer the following questions concerning this proposal:

1. Has the tax exempt issue of bonds been resolved. If not will the mortgage rates be less than those available in regular commercial markets.

2. The city bonds are to be used to generate UDAG money from the Federal government. How is this money to be spent. Is it all to be spent in lowering the mortgage rate of people meeting Section 8 income limits or is it to be used for other purposes as well. We would like a list of the proposed activities for this money.

3. Is the Section 8 income limit mandated by the Federal government or can the city choose the income level it wishes to subsidize with the federal funds.

4. How are closing costs, down payments to be handled under this program.

5. Who is going to purchase the mortgages from the City and what credit standards does this assume. Are all mortgages going to be sold or are some of them going to be treated like Agency loans under the HRLP.

6. Are any purchase restrictions going to be imposed other than the \$30,000 income limit. Are purchase restrictions going to be identical for all neighborhoods. The South Side UDAG proposal, for example, requested that single family dwellings be restricted to owner occupant purchase.

We would appreciate a prompt response to this request so that we will have adequate time to prepare testimony for the public hearings. We have not received adequate notice to the earlier hearings concerning the UDAG needs and did not receive our replies to the six year development hearings until after the City Council hearings had already taken place. Finally, I submitted written testimony concerning the rent break program for the six year development hearings and have not received a reply.

Thank you very much.

Robert Erickson  
BRASHEAR ASSOCIATION, INC.

December 14, 1980  
Robert Erickson, Director  
Neighborhood Development

Ray Reaves, Deputy Director  
Community Planning

Dear Ray:

I have written down some of my suggestions for a neighborhood UDAG proposal for your information. I hope that these will be of some help to you when you attempt to adjust the current program to the problems of the tax exempt bonds and the UDAG funding restriction. I will be back in Pittsburgh January 5 if you have any further questions about this proposal.

Sincerely yours,  
Robert Erickson  
BRASHEAR ASSOCIATION, INC.

enclosure:

NEIGHBORHOOD UDAG PROPOSAL  
BRASHEAR ASSOCIATION

As we understand the neighborhood UDAG proposal, the purpose of the

program is to promote the revitalization of a large number of Pittsburgh neighborhoods. We feel that this revitalization can be most effective if the neighborhood UDAG grant can achieve the following objectives:

(1) increases the number of home owners in these neighborhoods,

(2) increases the opportunity for current low income renters to achieve home ownership,

(3) increases the supply and quality of affordable rental units.

The present neighborhood UDAG proposal should be modified because of recent changes in UDAG regulations (10 million grant limitation), the legislation governing the sale of tax exempt bonds, and the dramatic increase in the current home mortgage rate. The change in UDAG regulation has reduced the funds available for the neighborhood UDAG to \$35 million which is only about 40% of the original proposal. The Brashear Association would like to suggest the following modifications to the present neighborhood UDAG proposal which will adjust the program to the current funding level.

1. The income limit of the program should be set at a level of \$5,000 above the Section 8 level.

2. The mortgage subsidy should be greater for those who qualify for Section 8 than for those above the Section 8 level. We would suggest the ratio of \$1 dollar of UDAG subsidy for each \$2 of mortgage obligation for those who qualify for Section 8 and a ratio of \$1 to \$3 of mortgage obligation for those who earn between the Section 8 level and \$5,000 above.

3. The UDAG subsidy should be applied

to the principal at the closing of the mortgage. This would immediately give the homeowner equity in the property and would reduce the monthly mortgage payment because of the smaller mortgage obligation.

4. Properties of two units or less should be restricted to owner occupant purchase.

5. Individuals, members of their immediate family, corporations or partnerships formed by them should be restricted to the purchase of the maximum of two properties.

6. Rental properties should only qualify for mortgage subsidy if they meet the following conditions:

(a) Existing tenants should be allowed to renew their leases at current rents for one year and be allowed to renew for two more years with the rents adjusted upward at a rate no greater than fair market rents for Section 8.

(b) Subsidy level for rental properties be tied to requirements to rent to either Section 8 level tenants or to tenants whose income does not exceed \$5,000 above Section 8 levels except for existing tenants. Subsidy would be same as for homeowners varying by income level of tenants. Lease and rent levels should be same as for the RHIP. Rehabilitation of these rental units should be part of mortgage package. All rental units should be required to meet building and health codes.

7. Mortgages and UDAG subsidy to rental properties should not exceed 25% of the total mortgages in any neighborhood. The 25% level should be figured for each specific neighborhood that desires any rental mortgages to be granted.

## Explanation of Brashear UDAG Proposal

Presently lower income families have been totally forced out of the housing market because of the extremely high interest rates. These lower income families cannot meet the downpayment, closing costs and most importantly the high monthly payments required to purchase a home. These individuals are forced to remain in the rental market where they face escalating rents.

Because of the relatively low purchase cost of homes in Pittsburgh it is advantageous for lower income individuals to own their home if they can meet the initial high costs of purchasing a home. Over the life of owning a property they will be substantially better off than if they remained in the rental market. They will build a substantial equity in their property which can be realized when the property is sold and they will face constant payments in real dollars while renters will see their levels keep pace with inflation. Unfortunately the benefits of owning a home are realized during the later years of home ownership while the immediate cost of purchasing a home has to be met out of current disposable income. Most lower income families cannot meet these immediate costs without government aid. If a 5% downpayment level is required, if closing costs are paid by government subsidy, and the initial monthly payment is reduced, lower income families can obtain homeownership. If the UDAG subsidy is granted as a reduction of the principal of the mortgage at the time of the closing, the monthly payment would be substantially reduced. This UDAG subsidy should be granted in the form of a deferred loan which would be reduced by 10% per year and eliminated after 10 years if the homeowner did not resell the property before that time. The loan would be partially repaid if the



homeowner sold the property prior to the ten year period. We feel that the reduction of the principal at the time of the closing is the most effective way to reduce the monthly payment to the lower income individual. In addition, we feel that because of the great change in mortgage rates is because of the changes in the prime interest rate that it is impossible to establish a fixed interest rate. The fluctuations of the mortgage rate would cause the required subsidy to widely vary. Under a fixed reduction of the principal the subsidy rate would remain stable and the mortgage rate would vary in response to the market conditions. Since HUD set a ratio for UDAG funds at  $\frac{2}{2}$  to 1 the total subsidy can not easily change in response to changing market conditions.

We have proposed that the income limits of the UDAG proposal be lowered from \$30,000 to \$5,000 above Section 8 limits. We feel that the \$30,000 is much too high because of the drastic reduction of funds available for the program. We feel that the funds should be concentrated only on those families who have been forced out of the housing market because of high interest rates. These are the families that are needed to keep the housing market active in the lower income neighborhoods proposed for the UDAG. Because of the low purchase price of homes in these neighborhoods, individuals with incomes from \$18 - \$30,000 can afford to purchase homes in the private market. Indeed these individuals may in fact look to these neighborhoods because of the high purchase prices of suburban homes. These individuals do not need government subsidy to remain in the housing market. Obviously, they would like to be subsidized but they do not require this subsidy whereas the lower income family does. In addition, these higher income individuals usually purchase the more desirable homes in

any of these neighborhoods. Homes which are, generally have been in owner occupancy but are being sold because of death or movement out of the neighborhood. These homes will be easily sold to other purchasers. In the proposed neighborhoods there are, however, many other less desirable homes which would provide adequate housing for lower income individuals. These homes often stand vacant because potential purchasers can not obtain or afford mortgages. These houses often become vandalized and have to be torn down. This is the part of the housing market that revitalization should be concentrated on. The houses suitable for gentrification which would attract the higher income suburban resident do not become problems. There is a very active market in these more desirable properties. Many of these units are sold before they are even formally listed while nearby lower quality houses remain idle because potential purchasers can not obtain or afford mortgages.

Thus, Brashear feels that limiting the income standards for the program would help the revitalization of our neighborhood because it would expand the potential homeowner market and would help increase the demand for the less desirable units in the neighborhood. We feel that the resources of this program are much too limited to allow them to be wasted in subsidizing individuals who have the financial ability to remain in the private housing market. We especially feel that this is a waste when these individuals purchase the properties where there is already a good market demand. A possible exception to the income limits could be made in those situations where a property has been vacant for a certain number of years and was in a VOV situation. In these cases higher income individuals may be the only individuals with the financial capacity to

rehabilitate these structures. This should be the only exception to the financial limits proposed.

The proposal concerning the purchase of rental properties by investors attempts to make the goals of this program coincide with the RHIP which has been an effective revitalization program. Allowing market rents would only encourage speculators to participate in the program with potentially very negative effects to the neighborhood. We feel that approving the number of affordable rental units in the community would be very beneficial especially to senior citizens. However, without these restrictions the mortgage problem could easily be used to force these people out of the community or into very substandard housing.

We feel that the present UDAG proposal would not meet the goals of neighborhood revitalization because much of the money would be used by higher income individuals who are already in the housing market, used by these higher income people to purchase already owner occupied dwellings, or used by speculators who may drastically increase rents hurting existing neighborhood residents. We feel that the modifications that we have proposed would greatly improve the program.

December 22, 1980

City of Pittsburgh  
Department of City Planning  
Public Safety Building  
Pittsburgh, PA 15219

Dear Jane:

Enclosed are guidelines for the Neighborhood UDAG funds which seek to insure that the funds benefit those in

financial need, not those who can already afford mortgages. While the Central North Side program is not analogous to our own situation in many ways, the feeling exists that the lack of strict income restrictions resulted in a free ride on public funds for many who could have paid their own freight. We seek to avoid displacement and to guarantee that low and moderate income residents in the affected neighborhoods have the first opportunity to use these funds.

These suggestions reflect the consensus of the South Side Community Council Executive Board. It is our hope that you will help us insure that these guidelines and safeguards are written into the UDAG proposal. We also intend that these suggestions become part of the public hearings.

These items are essential if a UDAG is really being targeted to help the neighborhoods. I hope that I return from my upcoming vacation before the hearings so as to personally discuss these proposals with you. Your comments and suggestions would be welcome, as well as your wholehearted support. Enough money is for big business, let's use these for low and moderate income people.

Sincerely yours,  
Ken Kaleida, Chairman  
South Side Community Council  
Housing Committee

#### PROPOSALS CONCERNING NEIGHBORHOOD UDAG:

In order to insure that the Neighborhood UDAG program actually benefits low and moderate income people, we feel the following mandates should be incorporated into the proposal:

1. Speculation must be eliminated, therefore all structures for which UDAG money is to be used for housing should be

owner occupied. In a four unit structure, the other three units should be mandated for Section 8 eligible tenants for not less than ten years. UDAG funding should be available for only one structure per applicant.

2. Existing tenants should be given the right to first purchase of the buildings. In order to insure this, the following measures should be instituted:

a. The program should be pre-marketed before funds are made available to participating banks and savings and loan associations.

b. A minimum of 80% of the UDAG funds should be designated for low and moderate income families and individuals (individuals of families whose incomes fall within a range of \$5,000 above Section 8 income levels). Preferably, all funds should be designated for these income levels; however, one exception is noted below. Until 50% of the funds are used by low and moderate income families, and at least 25% are used for low income families, no other money should be released to others.

c. Housing counseling must be available and aggressively marketed to low and moderate income people.

d. Neighborhood Legal Services should be provided with funds to have someone available to provide assistance on housing concerns to low and moderate income people free of charge.

e. Purchase should be available to low and moderate income people with only a five percent downpayment.

f. Closing costs should be subsidized and included in the mortgage package.

3. A committee of neighborhood people should be formed to monitor and control

this program. This committee should receive bi-monthly reports showing the following information:

a. Neighborhoods where applications have been made.

b. Income levels of mortgage applicants (the total asset picture must be considered and limited).

c. The neighborhoods and income of people receiving mortgages.

d. The number, income, neighborhood and relocation payments of persons displaced.

#### Exception Noted in Item 2 Above:

The exception to low-moderate income funding: after 80% of the funds have been utilized by low and moderate income persons, remaining funds might be made available to developers who construct housing on vacant lots and who guarantee that 80% of the units would be occupied by Section 8 - eligible tenants for not less than ten years. These exceptions should be subject to the control of the neighborhood committee.

#### **END, CITIZEN EVALUATION OF UDAG PROPOSAL**

#### **The Chair:**

Is there any further discussion on the bill, as amended?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens

Mr. O'Malley  
Mr. Robinson

Mrs. Masloff

Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 2394

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Silver Lake Associates for the sale of Parcels A and C in the Twelfth Ward of the City of Pittsburgh in Redevelopment Area No. 29."

Which was read.

Also,

Bill No. 2395

Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Administration of Silver Lake Urban Development Action Grant; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2396

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Hill House Housing Development Corporation for the sale of Parcels 1, 2 and 3 in the Third Ward of

the City of Pittsburgh in a portion of Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 2397

Resolution entitled, "Resolution approving an Agreement by and between Urban Redevelopment Authority of Pittsburgh and Hill House Housing Development Corporation in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Third Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 2398

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Albert F. Riggs for the sale of Block 23E, Lots 200 and 253, Block 23F, Lots 262B and 307, Block 23J, Lot 77, and Block 23K, Lots 5, 24, and 27, in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2399

Resolution entitled, "Resolution authorizing execution of License Agreement with the Urban Redevelopment Authority of Pittsburgh whereby the City of Pittsburgh will have the use of Parcels 1B and 13 in the

Allegheny Center Project, 22nd Ward, for Farmer's Market and Flea Market purposes, March 1, 1981 through December 31, 1981."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2400

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Stanfield Urban Development Action Grant Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Stanfield Urban Development Action Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in

connection with the Project and providing for the deposit of the funds in a bank account." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

I make a motion to remove the amendment to Section 3.

**Mr. Givens** seconded the motion

Which motion prevailed.

**The Chair:**

Is there any further discussion on the bill, as amended?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

**Mrs. Masloff presented**

Bill No. 2508

Report of the Committee on Parks and Recreation for January 21, 1981,

transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2383

Resolution entitled, "Resolution amending Resolution No. 1055, effective October 23, 1980, entitled, 'Providing for an Agreement or Agreements with the Pittsburgh Symphony Orchestra for the acoustic and site design of a summer stage at Point State Park; and providing for the payment of the cost thereof,' by increasing the authorization from \$10,000.00 to \$30,000.00."

Which was read.

Also,

Bill No. 2384

Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering, or other professional services in connection with Leslie Park Swimming Pool in the Department of Parks and Recreation, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2385

Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering, or other professional services at Phipps Conservatory, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2386

Resolution entitled, "Resolution providing for a Lease Extension Agreement with Columbia Gas Company for a term of twenty (20) years for a 6" gas line within the limits of Mt. Washington Park, between Boggs Avenue and Saw Mill Run Boulevard for a yearly rental of One (\$1.00) Dollar."

Which was read.

Also,

Bill No. 2387

Resolution entitled, "Resolution amending Resolution No. 184, effective March 17, 1977, entitled, 'Providing for a contract or contracts or use of existing contract or contracts for consulting services for the South Side Water Front and Bikeway including Architectural, Engineering and other Professional Services, and providing for the payment of the costs thereof', by decreasing the allocation from \$25,000.00 to \$21,090.00."

Which was read.

Also,

Bill No. 2388

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of fence; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2389

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of concrete work; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2390

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of bituminous paving; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2391

Resolution entitled, "Resolution providing for the letting of a contract or contracts in connection with the construction of the Sacramento Street Playground and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2392

Resolution entitled, "Resolution providing for the letting of a contract or contracts in connection with the purchase and delivery of pumps for swimming pools at various locations in the Department of Parks and Recreation and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 2509

Report of the Committee on Lands and Buildings for January 21, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2364

Resolution entitled, "Resolution amending Resolution No. 1028, effective October 16, 1980, entitled 'Resolution providing for a lease of certain property at South 4th Street and Bingham Street, 17th Ward, from M. Berger Land Company, for a term of twenty-six (26) months, for office space for the

Department of Environmental Services, upon certain terms and conditions; providing for the payment of the costs thereof', by providing for an annual rental rate."

Which was read.

Also,

Bill No. 2365

Resolution entitled, "Resolution providing for the termination of a lease agreement between the City of Pittsburgh and Pittsburgh Metal Lithographing Company and for the settlement of rental delinquencies in the amount of \$4,500.00."

Which was read.

Also,

Bill No. 2366

Resolution repealing Item (H) of Resolution No. 355, approved 4/25/80 for the sale of a lot on Magdalena Street, 17th Ward, designated as Block & Lot 12-N-281, to Edward V. & Donna L. Cerminara, his wife, for the sum of \$500.00. Resolution is to repeal sale and return hand money.

Which was read.

Also,

Bill No. 2367

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended."

Which was read.

Also,

Bill No. 2368

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

#### The Chair:

Ladies and gentlemen, our past Council President, Lou Mason, is to my left and all of the Councilmembers were present when Lou was honored by the Pittsburgh Human Relations Commission and I just thought we would add our congratulations again to Mr. Mason upon his great achievements in City Council.



**Mr. Givens presented**

No. 2510 WHEREAS, on November 4, 1979, 52 Americans were held hostage by Iran following the seizure of the U.S. Embassy in Tehran; and

WHEREAS, these Americans remained in captivity for 444 days, during which time, according to the State Department, they withstood physical and psychological abuse from their captors; and

WHEREAS, on January 21, 1981, the 52 American hostages boarded two U.S. Air Force planes bound for freedom, thus closing the final chapter in a hostage ordeal without precedent in modern diplomatic history.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby express solemn gratitude and rejoice in the freedom of the 52 American former hostages, and welcome them home to a nation's love.

BE IT FURTHER RESOLVED that January 21st shall be known as HOSTAGE FREEDOM DAY, in honor of their valiant bravery and courage in the face of great danger, and their belief in the integrity of the United States of America.

Which was read.

**Mr. Givens** moved for adoption.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Mr. Robinson presented**

No. 2511 WHEREAS, the citizens of Pittsburgh have been subjected to five major electric utility rate increases over the past decade; and

WHEREAS, Duquesne Light Company is currently demanding a \$113 million rate increase, which would raise base rates of residential customers 22.32%, as opposed to a 19.74% increase for all customers; and

WHEREAS, residential customers are already over-burdened with electric bills reflecting charges for so-called "phantom" income taxes collected but not paid to the Federal Government and reflecting capital and operating costs of plant and equipment basically not used and useful in public service; and

WHEREAS, 500 kilowatt-hours approximates the monthly consumption of the average Duquesne Light customer, who is limiting his or her consumption of electricity; and

WHEREAS, a precedent for exempting the first 500 kilowatt-hours of monthly residential consumption has already been established in a recent Philadelphia Electric Company rate hike case;

NOW, THEREFORE

BE IT RESOLVED, that this Council supports an exemption by the Public Utility Commission of the first 500 kilowatt-hours of monthly electricity consumption by residential customers; and

BE IT FURTHER RESOLVED, that this Council supports the adoption of a similar measure to benefit small business people and merchants.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**The Chair:**

Mr. Robinson, obviously I approve of the resolution along with the other Councilmembers, there is just a bit of confusion here, maybe not confusion, but I need a little explanation. In regard to the 500 kilowatt hours, if I read it correctly you are saying that some residential people will not have to pay any electric bill at all then.

**Mr. Robinson:**

If for example, their electric bill is under or 500 kilowatt hours, they would not be subject to the increase.

**The Chair:**

Oh, to the increase, okay. But they would continue up to the 500.

**Mr. Robinson:**

Yes. If I might, I would just like to make a couple other comments and I believe Mr. O'Malley had some supporting comments. I would like to have a copy of this resolution sent to all members of our Allegheny County Delegation in the General Assembly along with the appropriate letter from our City Clerk, also all of the members of the Public Utility Commission, Commonwealth of Pennsylvania, and also to the Pennsylvania Alliance for Jobs and Energy, which has been a driving force across the state in addressing energy and economic related issues.

**Mr. O'Malley:**

I would just like to say that, from my understanding, Philadelphia is already exempt from any raises for any residential customer using 500 kilowatt hours or less and I feel for the residents of Pittsburgh it would be worth our while to look into that.

**The Chair:**

One comment -- in the third paragraph Mr. Robinson, in regard to the phantom income tax -- I recall a hearing about four or five years ago, I think it was down at St. Mary's, protesting a rate increase and this was brought up by several groups, that the utility companies somehow or other evade paying taxes period. Could you elaborate on that? If they aren't, why aren't they and why do we allow them to get away with it?

**Mr. Robinson:**

I think basically the question is monies that utility companies are legally required to collect, but are not required to turn over within a specified period of time and people who have been abdicating some adjustments in our whole utility situation have suggested that the persons paying the money to the utility companies are being taxed, but those tax dollars are not being turned over to the appropriate parties to be used on behalf of all the citizens of the Commonwealth or of the country, so therefore it is considered to be a phantom income tax. Monies that can be utilized by the utility companies and not turned over to the proper authorities.

**The Chair:**

And obviously they collect interest on it.

**Mr. Robinson:**  
Right.

**The Chair:**

Thank you.

**Mr. Givens:**

Mr. President, I would like a letter to go from the Chief Clerk to the Chairman of the Equitable Gas Company of Pittsburgh or Western Pennsylvania, citing the area of Liberty Avenue from the 4000 block up through about the 7000 block, numerous holes in the roadways and on sidewalks. Improper covers, blind people in the immediate area almost walking into these very deep holes, some of them with water in them. I think we had this same problem in the South Side some months ago and I think after we brought the people in here they took some action to correct this.

I would ask that our Department of Public Works also be notified that our inspectors can go out and look at these particular openings in the ground. It is very serious and someone is going to get killed or very seriously injured. It just amazes me that Equitable and their sub-contractors are not more concerned of the lives of the people they are trying to protect. If it continues Mr. President, I only have one recourse and that is through this Council, to tell them no more excavations, and we can't do that, people must get their gas supply, so in one sense they have us over the barrel and in the other sense, some action must be taken on this to safeguard the lives and the properties of people.

**The Chair:**

I have to agree with you 100%, that is a very serious problem. We'll have them in Mr. Clerk, right?

**Mr. Perry:**

Yes.

**Mrs. Masloff** moved to excuse Michelle Madoff and Mr. Stone for absence from this meeting.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Robinson** moved to approve the minutes of Monday, January 19, 1981.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Robinson**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV MONDAY FEBRUARY 2, 1981

No. 5

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAY**...Ass't City Clerk

Pittsburgh, PA  
Monday, February 2, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masioff	Mr. DePasquale
Mr. O'Malley	(Pres't)

#### ABSENT:

Michelle Madoff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

We have some distinguished guests in the audience today, including the Mayor of the City of Pittsburgh and the first order of business today will be the reading of a proclamation that is being

presented by the Mayor, and then Mr. Robinson will read a resolution which he is presenting, both in honor of Afro American History Month.

Mr. Mayor would you come up to the podium please.

#### Mayor Caliguri:

Mr. President and members of City Council and our friends from the Afro American Society and the SSALH, it is certainly indeed a pleasure for me to be here this afternoon and to have all of you here this afternoon to issue this proclamation.

There is no doubt that when we issue our proclamation along with City Council's resolution, to try to have a better understanding of each other and hopefully the total community will better understand the history of the Afro-American and their involvement in this country and I feel quite certain that when we do understand each other, and when we know what the contribution have been and will continue to be and will be in the future, that in this effort that all of us can eventually come together as one, as it should be in this country and I certainly hope that this proclamation today will further that endeavor for all of us.

Mr. President, if I may read this proclamation:

I do hereby proclaim February 1981 as Afro American History Month in the City of Pittsburgh in recognition of the Sixty-Fifth Anniversary of the

founding of the Association for the Study of Afro-American Life and History; and to commend the SSALH for its efforts in focusing public attention on the contributions of black people to the advancement of this nation and to foster better understanding among people and to encourage greater appreciation of the heritage of all people and to pay particular tribute to those distinguished citizens of our own community whose contributions to Afro-American Heritage have been sustained and included in Dr. Edna Mackenzie as President, Miss Jane Robinson, Vice President and Program Chairperson and Mrs. Flora Russell, Secretary-Treasurer of the Association for the Study of Afro-American Life and History.

I am very pleased and proud to sign this proclamation along with members of City Council. Thank you.

#### **The Chair:**

Ladies and Gentlemen, is there someone in the audience who would come up and accept this proclamation from the Mayor please.

#### **Mr. Robinson:**

Mr. Mayor, President of Council, members of Council and distinguished guests, this is the fourth year that this ceremony has occurred and I certainly want to thank the Mayor and his office for participating, and all of my colleagues for being so gracious to continue to participate.

I would just like to make a small comment prior to reading this resolution and having some responses from persons who have spent a great deal of their time fostering the study of Afro-American Life and History. There are some people in our midst who are constantly working in the vineyard to make sure that Afro-

American Life and History is a constant reminder and something that has great substance. One of the gentlemen who is with us today, Mr. Kenny Simms from KDKA - TV is one such person and he has published a book called "The Voice" which is a living pictorial history of Afro-American history - current Afro-American history, and I think we owe Mr. Simms a great debt of gratitude. A portion of the proceeds from this book will be given to the Willie Stargell Foundation, which all of you know fights the dreaded disease Sickle Cell Anemia, so Mr. Simms is here working, but he is also a contributor to Afro-American Life and History and we certainly want to thank him for that.

I would like to read the resolution now if I might:

#### **Mr. Robinson presented**

No. 2544 WHEREAS, Afro-Americans have been an integral part of this state, this country, and this City's history for more than three hundred years; and

WHEREAS, the first week of the month of February has been traditionally designated to recognize their many deeds and accomplishments; and

WHEREAS, many distinguished Afro-Americans made history as residents of our City, such as Dr. Martin R. Delaney, Louis Woodson, George B. Vashon, Henry Ossawa Tanner, Robert L. Vann, Daisey Lampkin, Dr. Alma Illery, Honorable Homer S. Brown, Honorable Paul Jones, and Percival L. Prattis, former Executive Editor of the Pittsburgh Courier; and

WHEREAS, in February, 1926, Dr. Carter Godwin Woodson, the Director of the Association for the Study of Negro Life and History, launched the

celebration of Negro History Week; and

WHEREAS, this celebration has been expanded to a full month of recognition; and

WIHEREAS, throughout the nation, distinguished and honored people of African ancestry will be honored during Afro-American History Month.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh on behalf of the citizens of the City of Pittsburgh, shall recognize and observe the month of February as Afro-American History Month.

Which was read.

**Mr. Robinson** moved for adoption.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

There are three distinguished guests with us today who I would like to have come forward to accept gold seal copies of this resolution and make some brief comments. Dr. Lawrence Glasco who is in the History Department of the University of Pittsburgh, Professor James Galloway, History Department, Allegheny Community College and Dr. Ralph Proctor, Commissioner of the Pennsylvania Ethnic Affairs Commission. If those gentlemen would come forward please for brief comments and acceptance of these gold seal copies.

**Dr. Glasco:**

Mayor Caliguiri, President of Council, members of Council and

distinguished friends, on behalf of the Pittsburgh Chapter of the Association for the Study of Afro-American Life and History we do appreciate your time and effort and this wonderful display of City unity.

We would like to invite each of you to a further celebration of the Association's event on February 14th at Hill House. We will have the honored Western Pennsylvania Federal Court Judge Simmons who will give the Annual Black History Seminar at 1:00 p.m. at Hill House. You are all welcome to come, and once again, thank you very much on behalf of the Association for Afro-American Life and History.

**Professor Galloway:**

I want to say on behalf also of the Association for Afro-American Life and History, to express my gratitude or my gratification that this proclamation be given in honor of black achievers in the history of the City of Pittsburgh. As a Professor at the University of Pittsburgh, of black history, I think it is important that we stress not just the problems and handicaps which black people have faced, and other minorities have faced in their experiences here; that also that we spend time on those individuals who have managed to achieve, despite the handicaps, who have managed to triumph over this sort of problems and adversities which they face and which we spend most of our time focusing on, because I think there is a lot which we can learn from their lives; that is we can learn what it was in terms of their own character, their individual character and talents, we can learn what it was in their families, in their neighborhoods that helped sustain them and we can learn what it was in the particular organization of this society that made it possible despite the handicaps and discrimination for these

individuals to take advantage of what was available to them and to accomplish despite the sorts of problems which they faced.

So I think for those reasons and for others, I, myself am very gratified that such a proclamation be issued and that these achievers of black Pittsburgh be given recognition.

Thank you.

#### **Dr. Proctor:**

Mayor Caliguiri, Bill Robinson, members of Council, friends, it is particularly sweet for me to be here talking to you at a time when we are recognizing Afro-American History Month. A long time ago when I was a student at Robert L. Vann School, a lady appeared there who was an American-Indian princess, or at least so she told us, and she began to name a list of individuals and asked we students whether we knew who they were, and I knew that these people must have just done something yesterday because I was a straight-A student and I didn't recognize a single name on there. Then she asked the teachers whether they recognized any of those names, and lo and behold none of the teachers knew, so I knew, again, that these must be some people who just this morning did something because the teachers didn't even know about it. Then she looked at us and shook her head and said, "Shame on you, those are all black people who contributed something important to this world", and I felt about one inch tall because I didn't know a single name on that list.

That began a life-long quest to find out more about black people, more about my heritage, more about Africa as being a place where I could be proud of and not the place wherein there dwelled the

gentleman by the name of Tarzan who swung through the trees and had various companions that we all know about.

And then I recall in high school that the only reference to black people was in a history text book that said we had come from Africa, we had been slaves and Abraham Lincoln had freed us, and it is particularly sweet now to find out that there is a month called Afro-American History Month, and after all of this time, that means we have arrived somewhat. But as far as I am concerned we will not have arrived until the time comes when there is no longer a need for Be Kind to Animals Week, Be Kind to the Handicapped Week, an Afro-American History Week because we all will join together and be recognized as the brothers and sisters that we are. Thank you.

#### **The Chair:**

Thank you gentlemen and all the other distinguished guests we have with us today and may I add my humble congratulations at this time for the achievements of the Afro-American History Society. Congratulations and we wish you a long life and success.

### **PRESENTATIONS**

#### **Mr. Flaherty presented**

No. 2512 Resolution amending Resolution 1153, approved 12/21/79, for the sale of property in the 13th Ward on Kelly Street and Fleury Way designated as Block 174-J, Lots 110-114, inclusive, to Bernice S. Sandidge, for the sum of \$6,500.00. Amendment is to delete incorrect description from Parcel 174-J-110.

Also,



No. 2513 Resolution amending Item (G) of Resolution 1210, approved 11/21/80, for the sale of 2 lots on Spring Garden Avenue (26th Ward), designated as D & L. 78-L-167, to Milton A. & Sandra L. Werner for the sum of \$750.00. Amendment is to delete one lot and reduce price.

Also,

No. 2514 Resolution amending Item (D) of Resolution 40, approved 1/27/81, for sale of 3 sty. hse. on Frankstown Avenue, designated as B. & L. - 125-E-96, to Jerry Brown for the sum of \$4,600.00. Amendment is to correct name of one of the former owners.

Also,

No. 2515 Resolution repealing Item (B) of Resolution No. 40, approved 1/27/81, for the sale of 2 sty. brk. hse. on 2522 Elba Street, 5th Ward, designated as B. & L. 10-M-102, to Johnnie & Gladys P. Johnson for the sum of \$3,200.00. Resolution is to repeal sale and return hand money to purchasers.

Also,

No. 2516 Resolution repealing Resolution 359, approved 5/11/77, for the sale of row houses in the 13th Ward on Kelly & Fluery Way, designated as B. & L. 174-P-336, to Ruben Thomas for the sum of \$5,000.00. Resolution is to repeal sale and forfeit hand money.

Also,

No. 2517 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

2518 Resolution providing for the issuance of a warrant in favor of General Tire Corporation in the amount of \$6,184.80 for the emergency purchase of tires furnished to the Department of Supplies without previous authority of law, chargeable to and payable from Code Account No. 1149, Supplies, Department of Supplies.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Also,

No. 2519 Resolution transferring the sum of \$4,235.00 from Code Account Number 1067-1, Premium Pay, Department of City Treasurer to Code Account Number 1126-1, Premium Pay, Department of Supplies.

Which was read and referred to the Committee on Finance.

Also,

No. 2520 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$20,431.14 for extra work in connection with Herron Avenue Bridge, Phase II Project, payable from PWCD 78-13.

Also,

No. 2521 Communication from Louis R. Gaetano, Director, Department of Public Works requesting interim approval of payment of \$5,361.40 for extra work in connection with East Liberty Mall Access and Parking Improvements, Controller's Contract No. 24250-F.

Also,

No. 2522 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$18,169.36 for additional work on Murray Avenue Bridge, Controller's Contract No. 24423, payable from PW 78-14, Emergency Repairs, Bridges.

Also,

No. 2523 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Messrs. Pugh and Graham to attend Pennsylvania Ready Mixed Concrete, Sand and Gravel Association Seminar, Harrisburg, PA, February 17-18, 1981, at a cost not to exceed \$800.00, payable from Code Account No. 1530, Miscellaneous Services.

Also,

No. 2524 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting permission for Brother Richard Emenecker to attend National Cable Television Association Convention, Los Angeles, California, May 29-June 1, 1981, at a cost not to exceed \$1,575.00, payable from Code Account No. 1661, Miscellaneous Services.

Which were severally read and referred to the Committee on Public Works.

**Mr. Givens for Michelle Madoff**

**presented**

No. 2525 Resolution amending Resolution No. 88 approved February 22, 1980, entitled, "Providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, Pa., 15236, in connection with the Rehabilitation of 11th Street", by reducing the appropriation to \$204,960.22, chargeable to and payable from Capital Budget Accounts.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 2526 Resolution providing for the issuance of a warrant in favor of Dan Construction Co., Inc., 4925 Carlyn Drive, Pittsburgh, Pa., 15236, in the amount of \$4,300.00, in payment for Installation of a 20" Gate Valve on Spring Garden Avenue at Chestnut Street, chargeable to and payable from the 1980 Capital Budget Project No. WD-80-06, 4-05-20-1199-80-151-80-05, Department of Water.

Which was read and referred to the Committee on Finance.

Also,

No. 2527 Resolution providing for an Agreement or Agreements with the Ohio River Valley Water Sanitation Commission for a Study and Report on

the Discharge of Waste Water and Disposal of Residues from Water Treatment Plants Using Surface Water as Their Source of Supply; at a cost not to exceed \$3,000.00, chargeable to and payable from the 1978 C.B.A. #WD-78-8 Design, Sludge Treatment Facility (4-05-30-1240-78).

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 2528 Resolution providing for the filing of an application by the City with the U.S. Department of Interior for a grant in connection with the Rehabilitation of Fowler Pool and Playground, Friendship Park, Ormsby Pool Playground, and Northview Heights Playground and providing for the creating of the Neighborhood Facilities Rehabilitation Trust Fund (NFRTF).

Also,

No. 2529 Resolution providing for an Agreement or Agreements or the use of existing Agreements for professional services in connection with the design, construction, and installation of a nature display system at the Frick Park Nature Center and providing for the payment of the cost thereof, not to exceed \$10,000.00.

Which were read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley and Mr. Stone presented**

No. 2530 Resolution providing for charges to third party payers for ambulance service rendered to the residents of the City of Pittsburgh and creating a special trust fund in connection therewith.

Which was read and referred to the

Committee on Public Safety.

**Mr. O'Malley presented**

No. 2531 Resolution providing for a License Agreement or Agreements with United States Steel Corporation for installation of radio equipment on the U. S. Steel Building at 600 Grant Street; at a cost not to exceed \$2,000.00, payable from Code Account No. 1132-5, Radio Improvement, Department of Supplies.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 2532 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11 by changing from "C3" Commercial and "RP" Planned Residential Districts to "CP" Planned Commercial District certain property in the vicinity of STANTON AVENUE; NORTH AIKEN AVENUE; MOSSFIELD STREET; AZURE STREET and SCHENLEY MANOR DRIVE, 10th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 2533 Resolution providing for the filing of an application by the City of Pittsburgh with the Economic Development Administration for a grant

in connection with the Upper Strip District Technical Assistance Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Upper Strip District Technical Assistance Project; providing for required assurance; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account.

Also,

No. 2534 Resolution providing for an Agreement or Agreements with the County of Allegheny for the provision of the local matching share funds required in connection with the Economic Development Administration Revolving Loan Fund administered by Pittsburgh - Countywide Corporation; at a cost not to exceed \$125,000.00, payable from CD-D-CD-78-01, Industrial Loan Fund, Pilot Program.

Also,

No. 2535 Resolution amending Resolution No. 37, approved January 16, 1981, entitled, "A resolution amending Resolution No. 859, approved July 24, 1978, which provides for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Industrial Loan Program, and providing for the payment of the cost thereof", by decreasing the authorized amount from \$225,000.00 to \$93,000.00.

Also,

No. 2536 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend meeting of Council for Urban

Economic Development, Washington, D.C., February 19-20, 1981, at a cost not to exceed \$270.00, payable from Economic Development Planning Program Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 2537 Resolution amending and supplementing portions of Resolution No. 1428 of 1980, entitled, "A Resolution making appropriations to pay the expenses of conducting the business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1981 and ending December 31, 1981," by correcting the appropriation amounts for various code accounts.

Also,

No. 2538 Resolution amending and Supplementing portions of Page Nos. S-4, S-25, S-26, S-32, S-41, S-48, S-49, S-65, S-67, S-69, S-76, and S-84 of Resolution No. 1429 of 1980, entitled, "A Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions," approved in Council December 29, 1980.

Also,

No. 2539 Resolution providing for an Agreement or Agreements with a firm or firms of attorneys for the legal processing and litigation of certain personal injury and property damage lawsuits against the City of Pittsburgh or its employees, as assigned by the City Solicitor; aggregate cost not to exceed \$60,000.00, payable from Code Account No. 1075, Miscellaneous Services,

Department of Law.

Also,

No. 2540 Resolution providing for an Agreement or Agreements with Welfare Rights Organization-Allegheny County for the implementation of the Comprehensive Employment and Training Act, cost not to exceed \$206,280.00, payable from CETA Title II Trust Fund, Federal Funds.

Which were severally read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 5 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 2541 Communication from Ronald C. Schmeiser, City Treasurer, Department of City Treasurer, requesting permission to attend Third Annual Government Cash Manager's Conference, Washington, D.C. February 23-25, 1981, at a cost not to exceed \$800.00, payable from Code Account No. 1063, Miscellaneous Services.

Also,

No. 2542 Communication from John E. McGrady, City Controller, requesting interim approval to advertise in the local paper and also in Computerworld, two new positions in the Controller's Office (Information System Manager and a Senior Systems Analyst), total cost not to exceed \$441.00, payable from Code Account No. 1048,

Miscellaneous Services.

Also,

No. 2543 Communication from Raymond Johnson, Deputy City Controller, requesting permission to attend the 1981 Annual Conference of Municipal Finance Officers Association in Boston, Massachusetts from June 12-18, 1981, cost not to exceed \$1,400.00, payable from Code Account No. 1048, Miscellaneous Services.

Also,

No. 2544 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of December 31, 1980.

Also,

No. 2545 Communication from Mead J. Mulvihill, Jr., City Solicitor, submitting a summarized settlement of claims not exceeding \$750.00, for the Fourth Quarter of 1980; also, summarized settlements of claims in excess of \$750.00 for the Fourth Quarter of 1980.

Also,

No. 2546 Communication from John E. McGrady, City Controller, submitting performance audit of the City CETA Program. The Audit's focus is an assessment of program performance through evaluation program outcomes and significant management concerns that impact upon performance.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 2547

Report of the Committee on Finance for January 28, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2418

Resolution entitled, "Resolution transferring the sum of \$9,000.00 from Rents-City Owned Property Trust Fund to Maintenance of City Lots Trust Fund."

Which was read.

### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2427

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Morelli Brothers, in the amount of \$4,850.00 in payment for concrete paving construction at various locations, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2428

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$1,405.62 in payment for work performed at Magee Recreation Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2432

Resolution entitled, "Resolution transferring the total sum of \$105,000.00 to the Emergency Street Phone Network Project Trust Fund from the following accounts: City-County Integrated Identification System Project (C-CIISP) - \$50,000; Police Recruit Training (PRT) - \$55,000."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2441

Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount of \$10,000.00 in full settlement of a claim for personal injuries by Michael Linn, Jr., an minor and providing for the payment thereof."

Which was read.

Also,

Bill No. 2442

Resolution entitled, "Resolution providing for the amendment of Resolution No. 1369, effective December 31, 1980, by setting forth the manner in which the settlement funds in the amount of \$3,200.00 will be distributed in order to comply with the order of court covering the settlement of a minor's claim."

Which was read.

Also,

Bill No. 2443

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Best Business Forms Company, in the amount of \$6,989.96 in payment for the purchase of the 1980 W-2 Wage and Tax Statement, City and CETA Employees Payroll Checks, Statement of Water Service, Occupational Tax Return for Employers and Self-Employed Individuals, and Employers Return of City and School Earned Income Tax Withheld Forms furnished for the benefit of the City and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale

Mr. O'Malley (Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2444

Resolution entitled, "Resolution transferring \$9,900.00 from Code Account No. 30, Refunds, All-Other Taxes, Department of Treasurer, to Code Account No. 48, No-Fault Insurance Claims, Department of City Treasurer."

Which was read.

Also,

Bill No. 2446

Resolution entitled, "Resolution providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, and related personnel matters; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2447

Resolution entitled, "Resolution providing for an Agreement or Agreements with The Hospital Council of Western Pennsylvania to provide upgrade training for sixteen (16) current employees of member hospitals and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2454

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Envirex, Inc., in the amount of \$24,475.00 for the emergency purchase of fiberglass flights furnished to the Department of Water without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
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Mr. Givens                      Mr. Stone  
Mrs. Masloff                  Mr. DePasquale  
Mr. O'Malley                  (Pres't)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 2548

Report of the Committee on Public Works for January 28, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2424

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Department of Environmental Resources for a grant in connection with the Rodent Source Elimination Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Rodent Source Elimination Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 2425

Resolution entitled, "Resolution providing for the purchase of certain property in lieu of condemnation from Mobil Oil Corporation (formerly Sacony-Vacuum Oil Co., Inc.) for Street Widening of Forbes Avenue at the intersection of Forbes Avenue and Shady Avenue in the Fourteenth Ward of the City of Pittsburgh and providing for the payment of the related costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty                  Mr. Robinson  
Mr. Givens                      Mr. Stone  
Mrs. Masloff                  Mr. DePasquale  
Mr. O'Malley                  (Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 2549

Report of the Committee on Planning, Housing and Development for January 28, 1981 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 864

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Ten, Building, Chapter 1065, by adding a new Section 1065.13 entitled 'Smoke Detectors'."

Which was read.

Also,

Bill No. 2261

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 10 by changing from 'R3' Multiple-Family Residence District to 'C1' Neighborhood Retail District all that certain property bounded by: JANCEY STREET; the 'C1' Neighborhood Retail Zoning District Boundary Line located northeast of GREENWOOD STREET between JANCEY STREET and SNOW WAY; SNOW WAY and Block 121 K, Lot No. 89, in the Allegheny County Block and Lot System, 10th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6

NOES 1

(MR. FLAHERTY VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2438

Resolution entitled, "Resolution providing for the transfer by the Urban Redevelopment Authority of Pittsburgh of the sum of \$63,480.86 from the Garfield Code Enforcement Project, Project No. E-11, to the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2439

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 50-L, Lot Nos. 173, 174, 175 and 176."

Which was read.

Also,

Bill No. 2483

Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 430 and 436 Market Street, Block and Lot 1-D-165, in the Market Square Historic District in the 2nd Ward."

Which was read.

Also,

Bill No. 2484

Resolution entitled, "Resolution amending Resolution No. 251, approved April 7, 1980, effective April 11, 1980, providing for an agreement or agreements with the Environmental Intern Program/Lower Great Lakes for one intern to provide staff assistance in connection with the Department of Housing's programs, at a cost not to exceed \$5,195.00, chargeable to and payable from the Department of Housing CDHDA (HD-79-08) by reducing the total amount authorized to \$5,155.00."

Which was read.

Also,

Bill No. 2485

Resolution entitled, "Resolution amending Resolution No. 76, approved February 15, 1980, effective February 22, 1980, providing for an agreement or agreements with Allegheny Real Estate for Management Services in connection with the Innovative Grant - Residential Clubs Program by reducing the total amount authorized to \$8,964.48."

Which was read.

Also,

Bill No. 2486

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th, 18th, 21st and 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 50-B-292, 7-B-235, 22-P-273, 45-M-113, 45-M-112, 45-M-111, 15-H-129, 15-H-201, 15-G-245, 22-R-186, 15-H-175, 15-H-125, 15-H-

247, 15-H-247, 15-H-250, 50-A-6, 50-B-294, 50-A-1, 50-A-8, 50-A-9, 50-B-296, 50-B-298."

Which was read.

Also,

Bill No. 2487

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 18th Ward of the City of Pittsburgh owned by Gerald Born, Et Al, and designated as Block and Lot 15-L-264 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2488

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 18th Ward of the City of Pittsburgh owned by Sylvester McGee, Et ux, and designated as Block and Lot 15-H-185 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2489

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 18th Ward of the City of Pittsburgh owned by William E. and Mildred E. Leap and designated as Block and Lot 15-G-248 in the Deed Registry Office of Allegheny County, under the

Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2490

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Joseph J. and Judith Mangine and designated as Block and Lot 22-P-270 in the Deed Registry Office of Allegheny County under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2491

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 10th Ward of the City of Pittsburgh owned by Minnie Harrell and designated as Block and Lot 50-B-283 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2492

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 18th Ward of the City of Pittsburgh owned by Progressive Home Federal Savings and loan Association and designated as Block and Lot 15-H-156 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2493

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 20th Ward of the City of Pittsburgh owned by Dorothy J. Elkovitz and designated as Block and Lot 19-M-62 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2494

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 18th Ward of the City of Pittsburgh owned by John R. and Sarah A. Reed and designated as Block and lot 15-H-174 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2495

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 18th Ward of the City of Pittsburgh owned by Willie and Annie Lee Sanders and designated as Block and Lot 15-H-186 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2496

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Leon and Syrietta Lewis and designated as Block and Lot 22-D-10 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 2497

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Richard E. and Patricia O. Lewis and designated as Block and Lot 46-B-205 in the Deed Registry Office of Allegheny County under the Residential Land Reserve Fund."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2498

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Infil Housing Corporation for the sale of Block 46E, Lots 81, 85, 97, 100, 107, 113, 131, 133, 134, 135, 136, 137, 138, 139, 140 and 141 in the Twenty-Sixth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

Mr. President, on Bill No. 2498 there was a memo forwarded to me, I believe by Steve George, relative to the issue of the principles in Infil Housing Corporation, I would like to have it included in the record please.

**MEMORANDUM FROM MR. STEPHEN A. GEORGE REGARDING INFIL HOUSING CORPORATION DATED JANUARY 28, 1981:**

**MEMORANDUM**

January 28, 1981

TO:

The Honorable  
William R. Robinson

FROM:

Stephen A. George,  
Executive Director  
Urban Redevelopment Authority  
of Pittsburgh

SUBJECT:

Infil Housing Corporation

Pursuant to your request relative to Infil Housing Corporation, please be advised of the following:

Infil Housing Corporation is a relatively new Pennsylvania Corporation.

Its President and owner is Mr. Joshua C. Whetzel III.

The company office is located at 915 Penn Avenue.

It is not an affiliate or subsidiary of any other corporation or company.

Mr. Whetzel was introduced to the URA by the Department of Housing as being an acceptable developer. Members of the URA staff both in-house and in the North Side field office concur.

The company has recently completed one housing unit and is presently working on eight others exclusive of the ones with URA.

SAG:db

#### END - MEMORANDUM

#### The Chair:

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Mr. Givens presented

Bill No. 2550

Report of the Committee on Supplies for January 28, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2426

Resolution entitled, "Resolution providing for the furnishing and delivery of an automatic facsimile transceiver for the Department of Police, and for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 2551

Report of the Committee on Parks and Recreation for January 28, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2429

Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for Architectural, Engineering, or other Professional Services in connection with the design of the Pittsburgh Zoo and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2430

Resolution entitled, "Resolution repealing Resolution No. 985, effective August 31, 1978, entitled, 'Providing for a Contract or Contracts or the use of existing Contracts for the construction of new monkey exhibit at the Pittsburgh Zoo and providing for the payment of the

cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 2552

Report of the Committee on Public Safety for January 28, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2433

Resolution entitled, "Resolution amending Resolution No. 225, approved March 28, 1980, effective April 4, 1980, entitled, 'A Resolution providing for a contract or the use of existing contracts for the furnishing and installation of equipment, supplies, materials, and

miscellaneous services in connection with the Emergency Street Phone Network Project, Phase II; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Givens:**

Mr. President, on Bill No. 2433 I abstain and I would like the remarks from the meeting of Wednesday, January 28th to be incorporated into the minutes.

**MR. GIVENS' REMARKS ON BILL NO. 2433 FROM THE MEETING OF WEDNESDAY, JANUARY 28, 1981:**

**Mr. Givens:**

Why the increase from \$133,000 to \$300,000?

I don't know if you can recall back when these phones were being installed, I cautioned Council. In fact, I voted against or abstained on my vote two years ago when this came in a study that was done in both Miami and San Diego and other towns where they had this type of phone system installed where once installed, the price would go up very dramatically. It went up so much in the cities I mentioned that they discontinued the service completely, and at that particular time the City of Pittsburgh did have fire alarms in this particular system. As you know, the emergency telephone takes in police, fire, emergencies of any description.

What I am fearful of, if we follow suit with Miami and San Diego on the Ma Bell system down there, if that happens in the City of Pittsburgh my forewarning will come out.

My question was, when this system came in, were the increasing rates going to be very substantial after several years after the whole system was in, and they have you by the shoe strings that they can increase this rate, and we have not too much bargaining other than to go to the Public Utility Commission and say, "You are charging the City too much for these emergency telephones."

**END OF MR. GIVENS' REMARKS ON BILL NO. 2433, 1/28/81**

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mrs. Masloff
Michelle Madoff	Mr. O'Malley
Mrs. Masloff	Mr. DePasquale (Pres't)

**AYES 6                      NOES none**  
**(MR. GIVENS ABSTAINING)**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 2434**

Resolution entitled, "Resolution providing for an Agreement effective January 1, 1981, with James K. Staud, VMD, for veterinarian services in connection with the treatment of dogs assigned to the Canine Unit of the Operations Branch of the Department of Police, and providing for the payment of



the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

Bill No. 2553

Report of the Committee on Lands and Buildings for January 28, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2419

Resolution entitled, "Resolution providing for an Agreement or Agreements with Energy Design Associates for professional services in connection with a Technical Assistance Audit of the North Side Public Safety

Center, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2420

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts in connection with City-County Building Renovation of the Fifth Floor and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2421

Resolution amending Item (N) of Resolution No. 1397, approved 12/31/80 for the sale of a vacant lot on Goff Street in the 29th Ward, designated as Block & Lot 60-E-5A, to Joseph & Nadine Gates, his wife, for the sum of \$250.00. Amendment is to correct size of lot.

Which was read.

Also,

Bill No. 2422

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. Givens:**

I am very disturbed and I am sure all the other Councilpeople are of the fact that what is happening down at the State Office Building and the defunct License Bureau down there. I can't even get my car inspected because the person I go to to get my car inspected doesn't have enough of stickers for this inspection period. I would like if the Chief Clerk would direct a letter from this Council indicating the seriousness of this problem for the safety of the people of the City of Pittsburgh and the Commonwealth of Pennsylvania. Our desire is to have some type of an outlet down in this particular building so we can transact some of our business here.

I don't think we have couriers running up to Harrisburg everyday for the people who live in the City of Pittsburgh and I would think that the State has some type of responsibility to give some type of service at this end of the State for the people in the City of Pittsburgh and for that matter, the

people of Western Pennsylvania.

**The Chair:**

Okay, will you do that Mr. Clerk?

**Mr. Perry:**

Yes sir.

**The Chair:**

Ladies and gentlemen of Council, as you probably recall, we have a meeting scheduled with the Mayor at the conclusion of this meeting and I just got word from the Mayor's Office that he is ready to receive us — with open arms.

**Mr. Robinson** moved to excuse Michelle Madoff for absence from this meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. O'Malley**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

FEBRUARY 9, 1981

No. 6

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAY**...Ass't City Clerk

Pittsburgh, PA  
Monday, February 9, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

ABSENT: Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Flaherty presented**

No. 2545 An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum

question as to whether or not said voters are in favor of amending the Home Rule Charter to provide for the election of City Council Members on a combination district and at large basis, seven to be elected by district and two to be elected at large.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Flaherty** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 2546 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 2547 Resolution amending Item (E) of Resolution No. 1426, approved December 31, 1980, authorizing the sale of a vacant lot on N. Fairmont Street in the 11th Ward designated as B & L 83-E-32, to Warren D. Sipp, for the sum of \$1,500.00. Amendment is to correct name of the former owner.

Also,

No. 2548 Communication from Paul E. Evers, Deputy Director, Department of Lands and Buildings, requesting permission for Elaine Sadowski to attend HVAC-Variable Air Volume Seminar, Pittsburgh, PA, March 16, 1981, at a cost not to exceed \$7.00 payable from Code Account 1361, Miscellaneous Services, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 2549 Resolution providing for the issuance of a warrant in favor of Jim McKain, Car and Truck Leasing, in the amount of \$1,200.00 as payment for the rental of a van.

Which was read and referred to the Committee on Finance.

Also,

No. 2550 Resolution authorizing the City Treasurer, on behalf of the City of Pittsburgh to accept funds from the Port Authority of Allegheny County, the Urban Redevelopment Authority and the PA Department of Transportation, for Consulting Services in conjunction with Transportation Coordination for the Central Business District; providing for the creation of a Trust Fund for receipt and payment of the respective shares; and providing for an Agreement or Agreements with the above mentioned parties in connection with the above mentioned program.

Also,

No. 2551 Resolution amending and supplementing Section 2 and Section 3 of Ordinance No. 335, approved October 3, 1922, entitled, "An Ordinance

regulating the use and operation of vehicles on the streets of the City of Pittsburgh".

Also,

No. 2552 Resolution amending Resolution No. 1139, approved 12/14/79, effective 12/21/79, entitled, "Providing for a contract or contracts for the reconstruction of the Frantum Street Bridge over Saw Mill Run Creek, private property, and other work incidental thereto; and providing for the payment of the cost thereof," by increasing the project allocation from \$180,000.00 to \$332,650.00.

Also,

No. 2553 Resolution amending Resolution No. 130, approved December 29, 1980, effective January 1, 1981, entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program", by adding new project line items and adjusting the Summary Totals.

Also,

No. 2554 Resolution providing for a Contract or utilization of existing contracts authorizing the resurfacing of various City Streets and Park Roads with bituminous materials, including asphalt milling, planing, regrading, recurbing and other work incidental thereto at a cost not to exceed \$2,000,000.00, payable from Code Account PW-81-01, City Wide Resurfacing Program, 4-01-01-0001-81.

Also,

No. 2555 Resolution providing for a contract or contracts or use of existing contracts for Miscellaneous Electrical Services, at a cost not to exceed \$24,342.40, chargeable to and payable from PW 81-41 and PW 78-35.

Also,

No. 2556 Communication from Louis Gaetano, Director, Department of Public Works requesting interim approval of payment of \$24,732.11 for extra work for the "B" Program, rehabilitation of various streets and park roads, E.D.A. Project 01-51-24016, Controller's Contract Nos. 23104 and 23104-F.

Also,

No. 2557 Communication from Louis Gaetano, Director, Department of Public Works requesting interim approval of payment of \$69,850.51 for additional work for asphalt milling - various streets, to be payable from PW 80-02, Citywide Resurfacing Program, Department of Public Works.

Also,

No. 2558 Communication from Lawrence J. Yatch, Director, Department of Supplies requesting interim approval of purchase of data entry services by City Information Systems at a cost not to exceed \$7,000.00 payable from Code Account No. 1043, Miscellaneous Services, Information Systems, Mayor's Office.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 2559 Resolution providing for the issuance of a warrant in favor of Scuiilli Brothers, Inc., 3718 Dawson Street, Pittsburgh, PA 15213, in the amount of \$2,900.00, chargeable to and payable from the 1980 Capital Budget WD-80-8, (4-05-25-0002-80) Purchase and Installation of Hydrants by Contract at Various Locations.

Also,

No. 2560 Resolution providing for the issuance of a warrant in favor of Highway Equipment Company, P.O. Box 15038, Pittsburgh, PA 15237, in the amount of \$8,628.52, chargeable to and payable from Code Account 170 Repairs, Department of Water, for repairs of a Back-Hoe Loader.

Which were read and referred to the Committee on Finance.

Also,

No. 2561 Resolution further amending Exhibit 1 and Section 3 of Resolution No. 675, approved 8/16/76, by increasing appropriation for the Department of Water by \$120,000.00.

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 2562 Resolution providing for an Agreement or Agreements with the Architects of the new Paulson Pool for Professional Services in connection with the design and installation of works of art at this location; and providing for the cost thereof, not to exceed \$5,400.00 from PR 78-30, (4-10-10-1660-78).

Also,

No. 2563 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko & Son, Inc., in the amount of \$4,191.02, in payment for work performed at the Schenley Park Skating Rink, furnished for the benefit of the city without previous authority of law and providing for the payment thereof from Code Account No. 1841, Code Account 10, Repairs.

Also,

No. 2564 Resolution providing for

the lease of certain property at 252 Mt. Pleasant Road (rear, 26th Ward) from the Housing Authority of the City of Pittsburgh for a term of twenty-five (25) years, for recreation purposes, upon certain terms and conditions.

Also,

No. 2565 Resolution providing for a contract or contracts or the use of existing contracts for Engineering Services within the Department of Parks and Recreation; and providing for the payment of the cost thereof, cost not to exceed \$10,000.00, from PR 81-26, (4-10-15-0003-81).

Also,

No. 2566 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of \$450.00 for extra work in connection with Phipps Conservatory repairs, Controller's Contract No. 24822.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 2567 Resolution providing for the issuance of a warrant in favor of Blair Jewelers, in the amount of \$576.00 in payment for numbering and repairing police badges, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police.

Which was read and referred to the Committee on Finance.

Also,

No. 2568 Communication from Glenn M. Cannon, Director, Department

of Emergency Medical Services, requesting permission for Director Cannon and Mr. Garreston to attend National Fire and Rescue Instructors Conference, Memphis Tennessee, March 15-19, 1981, at a cost not to exceed \$1,600.00, payable from Code Account No. 1421, Miscellaneous Services, Department of Emergency Medical Services.

Which was read and referred to the Committee on Public Safety.

#### **Mr. Robinson presented**

No. 2569 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16, by changing from "R4" Residential Associated District all that certain property located on the southerly side of Frankstown Avenue between North Homewood Avenue and Sterrett Street, 13th Ward.

Also,

No. 2570 Resolution amending Resolution No. 38, approved January 16, 1981, entitled, "Amending Resolution 527, approved June 2, 1980, entitled, 'A Resolution amending Resolution 370, approved April 12, 1980, entitled, 'A Resolution amending Resolution 1005, approved November 7, 1979, entitled, 'A Resolution providing for an agreement or agreements with Greater Pittsburgh Business Development Corporation for services in connection with the Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000.' by increasing the amount of the agreement and providing for the cost thereof", by increasing the amount of the agreement and providing for the cost thereof." by decreasing the amount of the agreement and providing for the cost thereof.

Also,

No. 2571 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Julie Kreisman to attend Bureau of Census Training Seminar, Washington, D.C., February 23-25, 1981, at a cost not to exceed \$450.00, payable from Community Development Block Grant Program, Department of City Planning, Administration, Code Account CDPA.

Also,

No. 2572 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Raymond Reaves to attend meeting concerning Baltimore's computerized capital budget system, Baltimore, Maryland, February 11, 1981, at a cost not to exceed \$125.00, payable from Code Account CPDA 1980.

Also,

No. 2573 Communication from Paul Brophy, Director, Department of Housing, requesting permission for John Posteraro, to attend Underwriting Multi-Family Rehabilitation course, Kansas City, Missouri, March 1-5, 1981, at a cost not to exceed \$950.00, payable from CDHD, HD-80-12, Department of Housing, Administration.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson for Mr. Stone presented**

No. 2574 Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1980 to the same code accounts for the year 1981.

Which was read and referred to the Committee on Finance.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

No. 2575 Resolution providing for the issuance of a \$772.20 warrant in favor of Erie Insurance Company & Nancy Zinkand in settlement of claim for automobile damage by a City Police vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 2576 Resolution providing for the issuance of a warrant to William H. Thomas, Jr. and Charlotte Thomas, his wife, c/o Barbara Clements, Esquire, 441 Boulevard of the Allies, Pittsburgh, PA 15219, in the amount of \$1,861.20 as the City's share of the settlement of claim of property demolition and providing for the payment thereof.

Also,

No. 2577 Resolution authorizing and directing the City Controller to transfer from time to time amounts not to exceed the aggregate sum of Seventy-Five Thousand Dollars (\$75,000.00) from Code Account No. 1099-2, to CETA T.2 Trust Fund and CETA T.6 Trust Fund to pay for wages and fringe benefits paid to CETA participants...salary of \$11,150.00 per annum.

Also,

No. 2578 Resolution authorizing the transfer of Three Hundred Thousand

Dollars (\$300,000.00) from the CETA Trust Fund to the 1981 General Fund of the City of Pittsburgh for Reimbursement of Indirect Costs, Comprehensive Employment and Training Program, CETA.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Robinson for Mr. Stone presented**

Bill No. 2579

Report of the Committee on Finance for February 4, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1061

Resolution entitled, "Resolution authorizing the City to incur lease rental debt by entering into an equipment lease with City of Pittsburgh Equipment Leasing Authority at annual rentals in varying amounts which will be sufficient to pay the principal of and interest on the Authority's Equipment Revenue Bonds, Series 1981-A, the proceeds of which will be used to pay the cost of acquiring equipment and paying financing costs approving the form of lease and authorizing execution of the official statement relating to the Authority's bonds." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2456

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Trumbull Corporation in the amount of Nine Thousand Five Hundred Eighty-three Dollars and Forty-seven (\$9,583.47) Cents in payment for 'Extra Work' in connection with the rehabilitation of Herron Avenue - Bigelow Boulevard, to Centre Avenue, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2457

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Trumbull Corporation in the amount of Thirty-Eight Thousand Three Hundred (\$38,300.00) Dollars in payment for 'Extra Work' in connection with the rehabilitation of Herron Avenue from Bigelow Boulevard, to Centre Avenue



furnished for the benefit of the City without previous authority of law, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

**Bill No. 2502**

Resolution entitled, "Resolution providing for an Agreement or Agreements with File System Specialists or Consultants for professional services in the implementation of a new Numeric Color Code Filing System designed from computer processed tax account information in connection with Employer Withholding Earned Income and Occupation Tax Accounts and Registered Business Tax Accounts; and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 2503**

Resolution entitled, "Resolution providing for an Agreement or Agreements with Central Medical Health Services, Inc., to provide upgrade training for three (3) current employees and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

**Bill No. 2518**

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Tire Corporation in the amount of \$6,184.80 for the emergency purchase of tires furnished to the Department of Supplies without previous authority of law."

Which was read.

Also,

Bill No. 2525

Resolution entitled, "Resolution amending Resolution No. 88, approved February 22, 1980, entitled, 'Providing for the issuance of a warrant in favor of Trumbull Corporation, P.O. Box 18177, Pittsburgh, PA 15236, in the amount of \$338,732.41, in payment for additional and extra water line furnished for the benefit of the City in connection with the Rehabilitation of 11th Street and providing for the payment thereof,' by reducing the appropriation."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2537

Resolution entitled, "Resolution amending and supplementing portions of Resolution No. 1428 of 1980 entitled, 'A

Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1981 and ending December 31, 1981', by correcting the appropriation amounts for various code accounts."

Which was read.

Also,

Bill No. 2538

Resolution entitled, "Resolution amending and supplementing portions of Page Nos. S-4, S-15, S-25, S-26, S-32, S-41, S-48, S-49, S-65, S-67, S-69, S-76 and S-84 of Resolution No. 1429 of 1980, entitled: 'A Resolution fixing the number of officers and employees of the City of Pittsburgh and the rate of compensation thereof, and setting minimum levels for designated positions', passed in Council on December 29, 1980."

Which was read.

Also,

Bill No. 2539

Resolution entitled, "Resolution providing for an Agreement or Agreements with a firm or firms of attorneys for the legal processing and litigation of certain personal injury and property damage lawsuits against the City of Pittsburgh or its employees, as assigned by the City Solicitor; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 2539, I noticed that the bill allows \$60,000 for the Law

Department to hire outside counsel. You may recall when we were discussing the budget and final votes, I was very concerned that we do not have, and it has come up in Council before, sufficient help in the Law Department when we get into major litigation and I was told that they had made some provisos and that the amount was \$60,000. That is a joke, because when we get into cases where we are paying \$100,000 in claims, like the West End-Elliott and the one that we are being advised to settle out of court, whether we are right or wrong because we could get hit for \$12 Million and we've got some really serious major claims. The amount of \$60,000 is really a joke, it's not going to go anywhere and I wonder where we are going to get some money to make this a productive endeavor, where we are going to get the money to pay for the necessary high-priced outside attorneys who are going to have to take out some of the tough cases. It is not that our people can't do it in-house, there are just not enough of them. As I said before, I've been downstairs in the Law Department where they have one secretary for six people and the attorneys are busy answering their phones one after the other, taking ten calls in a row and not being able to prepare their briefs. I am not going to vote against it because we need the \$60,000 but we are kidding ourselves and I think that Council ought to look at some source of generating some revenue. For example if we sold some properties we could give them the money.

**The Chair:**

I think obviously what they are talking about here is some sort of preliminary work, I imagine if they would have to go into court then they would be coming back for more money. We've probably got a lot more than \$60,000 you have to think about it, it could run a lot

of money.

**Michelle Madoff:**

Well, what I'm saying and I think you agree is that if you are going to have good counsel you are going to have to pay for it and certainly the City has enough claims with the water breaks and we could go on and on and there are one that you know about that I don't even know about, that we are going to be doing what the County does, I presume as having some — you know, they have part time attorneys, or, in our case I think what they are going to do is just send them out to different law firms.

**The Chair:**

Well, what it would do actually is free them for everyday duties and these people could handle the extracurricular.

**Michelle Madoff:**

But \$60,000 isn't any money. Maybe I make a suggestion. Supposing — and you know I did speak with the Mayor at great length, supposing some of the other projects that we have been talking about over the last couple of years, the two million dollars to West Penn Water, could be somehow eliminated, we could sell some of the City properties; there is a card going out, we might have a rush like we did during the Flaherty era when he did the one shot deal and they raised some money, maybe we could allocate that money to this fund which would help keep our bills down, our claims down, so we could have, you know, the necessary legal help. Do you have any comment on that Mr. O'Malley?

**Mr. O'Malley:**

No.

**Michelle Madoff:**

I would like to get some kind of response on this, perhaps the President of Council might want to write a letter to the Mayor about this.

**Mr. Givens:**

Mr. President, I would like to have my remarks on Bill No. 2539 from Wednesday's meeting to be incorporated into the minutes.

**MR. GIVENS'S REMARKS ON BILL NO. 2539 FROM THE MEETING OF WEDNESDAY, FEBRUARY 4, 1981:**

**Mr. Givens:**

Mr. Chairman, I would like to know about the eight hundred some thousand dollars with the City of Pittsburgh and outside expertise that is requested in this type of legal consultation from outside law firms. I think there is one thing, however, and I think this Council shares my concern, that cases like this should be handled by experts. We have the money to pay these experts and I think that we need outside help and I order that we keep up with this until such time that our own legal advisors have the ability to handle cases such as this.

I anticipate that there are eight lawsuits that are pending against the City and even Mead (Mulvihill) agrees that we should use this outside help on these and other lawsuits. There is an investigation of the last large lawsuit against the City and we need it. We should move on some top law firms, we need it.

**END OF MR. GIVENS REMARKS ON BILL NO. 2539, 2/4/81.**

**Mr. Robinson:**

I would like to have my comments

from Wednesday on Bill No. 2539 brought forward please.

**MR. ROBINSON'S REMARKS ON BILL NO. 2539 FROM THE MEETING OF WEDNESDAY, FEBRUARY 4, 1981:**

**Mr. Robinson:**

Mr. Chairman, I have some concerns in the terms of the questions that have been raised about the City Solicitor and his staff. I think that it would be in the best interest of the City of Pittsburgh to hire someone with the expertise and that has the excess ability to handle personal injury and damage lawsuits against the City. There aren't enough legal advisors working for the City to handle the work that is being generated for the City.

I think it is obvious that there are individuals that voted for the services of this bill before going over the contract. I think too, that we have overlooked a lot of other things that included the directors; we keep saying that they are entitled to more money, so we approve more money for them because we say they deserve it and Mead Mulvihill is the same case, but in extent, he should hire someone that has the expertise to handle such cases as this one on the legal staff. This \$60,000 that we are using to pay for these outside law firms to handle the City's lawsuits could be used to pay for someone on his staff.

I am not questioning Mr. Mulvihill, but if he or anyone on his staff cannot handle these cases, then he should put someone on his staff that can handle it, we don't need outside expertise, we have that expertise right here in our own legal department.

**END OF MR. ROBINSON'S REMARKS ON BILL NO. 2539, 2/4/81.**

Also,

Bill No. 2540

Resolution entitled, "Resolution providing for an Agreement or Agreements with Welfare Rights Organization-Allegheny County for the implementation of the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2580

Report of the Committee on Public Works for February 4, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2458

Resolution entitled, "Resolution providing for an Agreement or Agreements for the purchase of right-of-way, design and replacement of the Duquesne Incline Pedestrian Overpass and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2459

Resolution entitled, "Resolution providing for an Agreement or Agreements with Michael Baker, Jr. Inc., for professional services in connection with a preliminary permit for hydroelectric facilities at the Allegheny River Lock and Dam No. 2; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 2459, I wonder if someone could explain that to me? Mr. Givens?

**Mr. Givens:**

Its a long story Michelle, but what it is -- there are many different agencies, federal along with private that are competing for hydro-electric power plants along the various dams and locks that we have and there are inter-waterway systems. The City of Pittsburgh is also competing for this, this is a study, a feasibility study and if it is what the City thinks it will be and the Department of Public Works, our own engineers, we assume that we could build a plant there that will cost some \$15 Million and that it will generate some \$4 Million in power which will run our waterworks -- Brilliant --

**Michelle Madoff:**

It will cost \$15 Million and will generate \$4 Million?

**Mr. Givens:**

That's right.

**Michelle Madoff:**

You mean \$4 Million a year don't you.

**Mr. Givens:**

\$4 Million a year, yes. So it is a substantial thing, most of this will be up-front federal type money with the City, not making that great of a contribution and what excess electricity we have over, again, by federal and state law the local utilities must buy that excessive power.

**Michelle Madoff:**

Wait, I'm confused, who's going to use this power, is it going to supply the City?

**Mr. Givens:**

We are, number one, to power anything that we can within the City of Pittsburgh, right adjacent to that will be our Brilliant Pumping Station which uses a considerable amount of electricity.

**Michelle Madoff:**

Well, I'm a little confused because the City is in the middle of negotiating with Bashon Company and the Allegheny Conference on a solid waste through kilowatts and we're supposed to be committed to one of the major clients to buying the steam or buying that energy and they are going to go to co-generation which will supply air-conditioning and electricity as well and the power plants will be buying it. Why are we doing the feasibility study? Why isn't the utility doing it? Is it going to be a private owned utility? Are we going into the utility business?

**Mr. Givens:**

Yes, this is going to be owned -- this particular piece of legislation will be owned by the City of Pittsburgh.

**Michelle Madoff:**

It doesn't make sense, I don't think we can without PUC regulation, why are we paying for the feasibility study? Why isn't Schneider or Michael Baker or --

**Mr. Givens:**

Because Duquesne Light or any other private company are also bidding on this Michelle and the City of

Pittsburgh is also bidding on it and we have the right to go in there and generate our own power if we can. The outlay is going to be \$15 Million when we come to —

**Michelle Madoff:**

I'd like to hold that bill for one week if we may because I —

**Mr. Givens:**

No way, no.

**Michelle Madoff:**

Because I have been talking to the Mayor's people and there has been a big issue for a year that they could not be a public utility, that they would not form an authority, they could not do this because if they could have done it they would have done it on the solid waste, they had to go out and form a publicly owned corporation — private corporation which would be a wholly owned corporation, we would just be a client.

**Mr. Givens:**

Well, we'll just form another authority if we have to do that.

**Michelle Madoff:**

But the Mayor said he can't. They couldn't do it on the solid waste for steam, how can we do it on this? Why are we paying for somebody's feasibility study? Are we going into the power electric business? I mean I can understand if we had a facility and we were going to generate our own electricity to power our own facility like we did our asphalt plant, that I can understand. I don't know what the game plan is here and I'd like a week to find out.

**The Chair:**

Well, our only obligation at this time is \$2,500, right?

**Michelle Madoff:**

To do a feasibility study.

**Mr. Givens:**

No, we can hold it one week.

**Michelle Madoff:**

I'd like to hold it one week and find out what is happening.

**Mr. Givens:**

I think, Mr. President, you have Alcosan which is again a governmental type of agency, do you have any restrictions in Alcosan as far as selling your excessive, if you have — you know create a steam generating plant from the by-products of the Allegheny Sanitary operation?

**Michelle Madoff:**

They don't create by-product they are —

**Mr. Givens:**

As far as I knew you could —

**The Chair:**

We have that power, yes. The Board does anyway.

**Mr. Givens:**

You can sell those ingredients and then they can build a power plant and sell electricity back to you and sell what is left over to the Duquesne Light Company.

**Michelle Madoff:**

Is this an emergency bill? Can it keep a week?

**Mr. Givens:**

No its not an emergency. You bring out a good question, I've never heard of that.

**Michelle Madoff:**

I mean I've been sitting on this thing for months.

**The Chair:**

Michelle has got a motion on the floor to hold it one week, is there a second on the motion?

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I'm sorry I wasn't here, I'll check it out immediately.

**Mr. Givens:**

In fact, I would like a written communication from the Chief Clerk on this particular thing. This is something that was never brought out or discussed at Wednesday's session and I was unaware of it, so if that is the case, maybe Lou Gaetano or someone could shed some light on it Mike.

**Michelle Madoff:**

Why don't we get a report on who is doing what to whom and why.

**Mrs. Masloff:**

It was all explained to us last

Wednesday.

**Mr. Givens:**

Well that was discussed Wednesday and it is in the legislation --

**Michelle Madoff:**

Then let me speak to Lou and find out what is happening and I'm sure it will be fine.

**Mrs. Masloff:**

They explained it all to us.

**Michelle Madoff:**

Well I'm trying to get someone to explain it to me, I can't get a satisfactory answer.

**Mr. Givens:**

Well your satisfaction is that you don't think the City of Pittsburgh can do it. If that is so then I want to hear that. If that is so then I want to hear that.

**Michelle Madoff:**

That is what I want to know.

**Mr. Givens:**

And why would they introduce legislation if we can't comply with it.

Also,

Bill No. 2460

Resolution entitled, "Resolution providing for an Agreement granting to Mr. George Hajala of 4271 Evergreen Road, Ross Township, the privilege to tap into the City Sewer on Evergreen Road. Tap-in fee to be set at Three



Hundred Sixty (\$360.00) Dollars, payable to the City Treasurer."

Which was read.

Also,

Bill No. 2461

Resolution entitled, "Resolution further amending Resolution No. 596, approved June 27, 1979, effective July 29, 1979, as amended by Resolution No. 807, approved August 19, 1980, effective August 25, 1980, entitled, 'Providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for design, right-of-way acquisition and construction reimbursement to the Commonwealth in connection with the Noblestown Road slide correction (PW 79-03) and providing for the payment of the cost thereof,' by decreasing the allocation for this project from One Hundred Seventy Five Thousand (\$175,000.00) Dollars to One Hundred Forty One Thousand Seven Hundred Fifty (\$141,750.00) Dollars."

Which was read.

Also,

Bill No. 2462

Resolution entitled, "Resolution amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program,' by adding a new project line item, and adjusting the summary totals."

Which was read.

Also,

Bill No. 2463

Resolution entitled, "Resolution further amending Resolution No. 1249, effective November 3, 1978, as amended by Resolution No. 1522, effective December 31, 1978, as amended by Resolution No. 422, effective November 11, 1979, as amended, by Resolution No. 321, effective April 25, 1980, entitled, 'Providing for a Contract or Contracts for the replacement of the Herro Avenue Bridge, PW 78-13, and providing for the payment of the costs thereof,' by decreasing the authorized amount from Two Million Seven Hundred Eight Thousand Two Hundred Twenty Nine Dollars and Eighty Cents (\$2,708,229.80) to Two Million Six Hundred Seventy Four Thousand Five Hundred Nineteen Dollars and Thirty Two Cents (\$2,674,519.32)."

Which was read.

Also,

Bill No. 2464

Resolution entitled, "Resolution further amending Resolution No. 80, approved February 15, 1980, effective February 22, 1980, as amended by Resolution No. 1062, approved October 20, 1980, effective October 23, 1980, as amended by Resolution No. 1291, approved December 8, 1980, effective December 11, 1980, entitled, 'Providing for Contract or Contracts or the utilization of existing contracts, authorizing the resurfacing of various City Streets and Park Roads with bituminous materials including asphalt milling, planing, regrading, recurbings, and other work incidental thereto, PW 80-02, 4-01-01, 0001-80, and providing for the payment of costs thereof,' by increasing the project allocation by Seventy Five Thousand (\$75,000.00) Dollars."

Which was read.

Also,

Bill No. 2465

Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing contracts, for the Jancey Street sewer reconstruction, from a point 40'± West of Greenwood Street to a point 300'± West of Martha Street, and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2581

Report of the Committee on Supplies for February 4, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative

recommendation,

Bill No. 2466

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of electric self loading skeet traps for the Police Department, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 2582

Report of the Committee on Parks and Recreation for February 4, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2470

Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Ballet Theatre for the furnishing of performances to the residents of Pittsburgh during the year 1981 and providing for the payment of the cost which is not to exceed \$15,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2471

Resolution entitled, "Resolution providing for agreements or use of existing agreement for personal and professional services and for a contract or contracts or use of existing contracts with the South Oakland Youth League for implementing the 1981 Summer Recreational Cultural Program and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2472

Resolution entitled, "Resolution providing for agreements for personal or professional services and for a contract or contracts, or use of existing contracts for implementing the Neighborhood Festivals Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2473

Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Rocket Drum and Bugle Corps to provide a music education and recreation program for youth in the City and providing for the payment of the costs thereof, which shall not exceed \$12,400.00 and shall be chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services."

Which was read.

Also,

Bill No. 2474

Resolution entitled, "Resolution providing for an agreement or agreements with Ozanam Cultural Center for professional services for recreational, cultural, and educational program for residents of the City of Pittsburgh and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2475

Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Opera Inc., for the furnishing of performance to the residents of Pittsburgh during the year 1981; and providing for the payment of the cost which is not to exceed \$9,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2476

Resolution entitled, "Resolution providing for an agreement or agreements with the Three Rivers Arts Festival of Carnegie Institute in connection with the 1981 Summer Recreation Program of the Department of Parks and Recreation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2477

Resolution entitled, "Resolution providing for an agreement or agreements with the Duquesne University for the furnishing of dance performances to the residents of the City of Pittsburgh during 1981 and providing for the payment of the cost which is not to exceed \$10,000.00, and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2478

Resolution entitled, "Resolution providing for an agreement or agreements with the Pittsburgh Symphony Society for the furnishing of concerts to the residents of Pittsburgh during the year 1981, and providing for the payment of the cost which is not to exceed \$47,000.00 and is chargeable to and payable from Code Account 1833, Recreational Activities, Concerts, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2479

Resolution entitled, "Resolution providing for an agreement, agreements or existing agreements with the Pittsburgh-Allegheny County Cultural Alliance for professional services in conjunction with the coordination of cultural activities, and providing for the payment of the cost which is not to exceed \$10,000.00 chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services, Department of Parks and Recreation."

Which was read.

Also,

Bill No. 2480

Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Development of Lion, Tiger, and Rhinoceros Exhibits at the Pittsburgh Zoo, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Zoo Development, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for certification of authorized signatures; and for the creation of the Zoo Development Trust Fund."

Which was read.

**The Chair:**

Is there any discussion on the

bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **Michelle Madoff presented**

Bill No. 2583

Report of the Committee on Water for February 4, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2468

Resolution entitled, "Resolution amending Resolution 1589 approved by City Council December 31, 1978, amended by Resolution No. 622, approved July 6, 1979, entitled, 'Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith creating Capital Funds; transferring Bond Funds to said Capital Funds,' by increasing the appropriation for Project WD-79 - 60" Lowrie Street, Repair Bin Wall and decreasing appropriation for

Project WD-79-06 - 12" Line Boundary Street, Repair."

Which was read.

**Michelle Madoff:**

I'd like to amend Bill No. 2468 by changing Project title and description to read as follows: WD-79 to read WD-79-03; delete 03 in 60" Lowrie Street, add WD-79-06; delete 06 in 12" line Boundary Street repair. I don't know what I've amended but I am trusting somebody. I haven't the faintest idea I wasn't here --

**The Chair:**

Sounds like a bingo game.

**Michelle Madoff:**

But I will tell you what I do know because I just had Al D'Alessandro, Research Assistant, do a research job. Just now.

**The Chair:**

Annie just hollered bingo -- all those numbers you called out.

**Michelle Madoff:**

We are increasing payment on this job from \$100,000 to \$175,000. By \$75,000. My understanding is that nobody else bid on the job, that it was a very difficult job. I don't ever want to see a letter before us without the name of the contractor. It didn't say who is doing the job. I looked up the bill. We don't know who is doing it. Mike, remember, that is very important. I want to know why with a \$75,000 increase, nobody wants to do the job. I wasn't here so I couldn't find out.

**Mr. Givens:**

I have a discussion that I wanted to bring up Wednesday, "Jeep", that has concern in this particular area here; Boundary Street. Maybe it would be appropriate for me to do it now. Boundary Street will be possibly an escape route, if you want to call it that, from Second Avenue into the Oakland area with the Parkway East going under construction. With all the bridges that we have down in that particular area, we are going to see a lot of Second Avenue traffic being diverted off of the Parkway East on the eastbound end, even the westbound lane, and one has to think of what escape routes do they have? How can they get through the City of Pittsburgh, and by-pass at least the choke point between downtown Pittsburgh and at least beyond the Squirrel Hill tunnels. The only way will be to go through Hazelwood, Greenfield and using the Fifth Avenue corridor apparently, because Forbes Avenue will be down. So Boundary Street being your old playground "Jeep", you probably know every road down there, right?

**The Chair:**

That is what I'm laughing about, Sophie knows I was born on Boundary Street. I was waiting for them to put a plaque up there for me, but now they are going to put the traffic there, so there will be no room for it.

**Michelle Madoff:**

They're going to put a waterline up there for you.

**Mr. Givens:**

Well, my concern is that if we are going to put a waterline down and a feasibility study —

**The Chair:**

They could restore the old outhouse we had down there.

**Mr. Givens:**

My point would be, in the Wednesday discussion, to have people from the Water Department, and Mike, you might put this down as a Post Agenda item, from the Water Department, from the Department of Public Works, especially the bridge area, and the Engineering Department down there.

I am still continuing on in a landfill type of situation on some of those various bridges.

**The Chair:**

I'm not going to touch that one Dick.

**Mr. Givens:**

And I will think, and I have talked to some people that are knowledgeable within the field, major construction firms within the Allegheny County and Western Pennsylvania, some people from the Universities, engineers throughout the City and the various higher educational institutions and I am hearing something that I felt and that is that it is feasible in certain situations.

**Michelle Madoff:**

That's right, in certain situations.

**Mr. Givens:**

And to think that that particular hollow through there, that there are almost five bridges by the extension of that tunnel, the B & O Tunnel, for about a three block area, will encompass almost five bridges — or four bridges, the Schenley, the Forbes and two along

Baum Boulevard, at least one along Baum Boulevard and I think this must be done and to put a waterline, a 20" waterline in there, and then have to put landfill over top of it, I think we should discuss this a little bit in putting this particular waterline in where we are going to put it in, or how long we could delay it, if at all, awaiting some decisions on this landfill of some of our bridges. When one will look out at the maintenance and the cost of these bridges, the maintenance to maintain them for 50 or 75 year period and replacement, I think one will find that that feasibility study might be somewhat accurate.

So I would ask that Wednesday these people come up and we just discuss and find out where we can go on this particular 20" waterline, how desperately it is needed right now, who it is going to serve, etc., etc.

**Michelle Madoff:**

I'm confused. Are you saying, Mr. Givens, that you want to wait on this waterline if it can be delayed, if it is not an emergency situation, because you want to see if we can fill in some of this land with refuse, so that it will —

**Mr. Givens:**

No, just landfill.

**Michelle Madoff:**

Well, with landfill, so that we will not have to replace five bridges with fill?

**Mr. Givens:**

Well, if you put a major waterline — some you know, 70 or 80 feet below ground surface, if that would be the case, then you are going to have impaction problems, pressure problems —

**Michelle Madoff:**

But are you saying you want to hold off because you want to go to landfill kind of situation?

**Mr. Givens:**

Well, the landfill would require that the line maybe be re-positioned in another area down there, or built along the hillside, for example, versus putting it right in Boundary Street itself. Apparently, they are just going to use Boundary Street and lay the line right along that particular access route.

**Michelle Madoff:**

Allright, are you suggesting that perhaps, instead of U.S. Steel using that huge site opposite Swissvale in my backyard where they put the slag and it becomes harder than ground, that we put the slag into — let them start using that facility for slag? Do you know what it would do, if you even think about it, in the next three years with the traffic jam and the construction and the stability how long it takes to become stabilized? Your idea is not a bad idea if you take it in a small, conceptual, small area bridge where you are not confronted with major reconstruction in the area at the moment. You might take some obscure little bridge somewhere, and I think they are already doing it on two small bridges

**Mr. Givens:**

Yes, Mr. President, I have two points here, one is the waterline itself, secondly, is Boundary Street itself. Hopefully with very little work and cautious money —

**The Chair:**

Okay, in the interest of saving a little time do you want to make a motion

to hold that until we get a thorough discussion from the Water Department as to where they are going to put the line?

**Michelle Madoff:**

No, we need the line, I think we can't hold up on it.

**Mr. Givens:**

I don't know "Jeep", I have no problem in passing the bill right now.

**The Chair:**

Okay, lets just say, you're going to have a hearing on it on Wednesday.

**Mr. Givens:**

Excuse me "Jeep", just one more thing on Boundary Street — Boundary Street apparently is not a passageway right now. There are some humps and crevices in it that people can navigate in a special equipment type vehicle.

**The Chair:**

You are aware that Boundary Street runs from Saline Street on up to —

**Mr. Givens:**

To Second Avenue.

**The Chair:**

That is a pretty long street, most of it is —

**Mr. Givens:**

Right, it is a long, long street. Some of it is paved some of it isn't, but with a little grading and maybe compaction of some good soil in there we could open Boundary Street up as a route from Second Avenue to Oakland into — it

comes right out by Central Catholic there and Forbes Avenue, is where it shoots on up at. If we could open that up, we might be able to use it and compact it down and that is what I would like to discuss Wednesday with the same people.

**The Chair:**

So obviously you are talking about a more modern road. They use it now you know. They use it for a short cut now up to Forbes.

**Mr. Givens:**

I know they do, but it is pretty rough, it has to be graded down a little bit in some areas.

**The Chair:**

Well they use it, it gets a lot of traffic.

**Michelle Madoff:**

Mr. President, what I think we need to discuss, I wasn't here and I'm sure all members of Council got the letter in line with what Mr. Givens is talking about, the January 29th letter from an Allen Meisel, it was a copy of a letter to the Editor of the Post Gazette about all this — the Schenley bridges being cut off and Panther Hollow, etcetera and he suggests some streets that now have parking where the cars get towed so they don't park, as alternative routes. Maybe it is a good idea that we have somebody from Traffic Planning sit and talk with us at some point and tell us what they plan to do to have alternative routes instead of people writing us and letters to the Editor, certainly as leaders of the City we ought to be coming up with some suggestions. Let's just do that and do it sensibly and do it in some kind of order. How does that sound?



**Mrs. Masloff:**

They've already done that, the papers are full of alternate routes.

**Michelle Madoff:**

No, I understand that, but what they are talking about is the streets now have parking on them and they want to make sure the streets don't have parking during rush hours. Only during rush hours so people can get through. Let them brief us, that is what I want, I think you are right Sophie, I'm saying let them brief us so we know and that is the end of that. I'm not disagreeing with you, I'm agreeing with you.

**The Chair:**

Mike, let's get Jim Balzer in on that.

Also,

Bill No. 2469

Resolution entitled, "Resolution amending Resolution No. 1126, approved November 3, 1980, entitled, 'Providing for a contract or contracts for Water Line Protection of the 60" Water Line at Lowrie Street and providing for the payment of the cost thereof', by increasing the appropriated amount from \$100,000.00 to \$175,000.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 2584

Report of the Committee on Public Safety for February 4, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2481

Resolution entitled, "Resolution providing for an Agreement of Agreements with the Salvation Army for professional services in connection with the Public Inebriate Program; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

## MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Mr. President, I have a very quick item of business -- someone called me from one of our departments, I think it is Public Works, perhaps you can clarify it, and they didn't want to put their name to it and I said, "Look, I don't understand the problem, would you put it in writing to me, you don't have to put your name on it, just send it to me so I'll understand it" -- I think it might fall in Mr. O'Malley's department, and whoever handles Public Works, but it seems like a serious --

**Mr. Givens:**

I think its Councilman Givens.

**Michelle Madoff:**

Yes, I heard that -- and I just thought I'd read you the paragraph. It says:

"I'm writing to you, and see if you can help us, when you salt off a pick up truck you have to be tied or harnassed to the truck, which to us is unsafe, what if the truck should get in trouble and you are harnassed in and can't get loose? Thank you.

P.S. If you don't want to salt off a pick up, they tell you if you don't

want to work then go home."

What I gather from this is that the men are being harnassed to the trucks, they are being tied in. If there was an accident with the truck they couldn't get out and they are concerned about being -- its not like a seat belt, I think it is a harnass. They are in the back of the truck and they throw the salt out.

**The Chair:**

They don't throw it anymore, they just open the tailgate and away they go.

**Michelle Madoff:**

Not so -- no, no, no, no, not on small streets, on my street they don't do that. I have a very narrow street, they have people sitting on the back.

**The Chair:**

Wait a while Michelle, they don't tie anybody in there now.

**Michelle Madoff:**

I'm telling you -- they are harnassed.

**The Chair:**

If they tie them they want to make sure they don't fall, I guess.

**Michelle Madoff:**

I understand that, but I am saying that he has a very valid point. If they were in an accident he couldn't get loose and I think someone ought to look into it, it would be Public Safety and --

**The Chair:**

He'd look awful funny rolling on that street too.

**Michelle Madoff:**

He says they harness them in, here is the letter.

**The Chair:**

Hey Jim, is that what we saw rolling down the street the other day, a guy they didn't tie in?

**Michelle Madoff:**

No, its the same thing that we ran into before with the tanker trucks, its a matter of insurance, we never did get an answer back Mr. Perry, on those who were getting insurance or not getting insurance.

**Mr. Perry:**

I spoke to Larry on it.

**Michelle Madoff:**

Well, I want an answer on it, I don't want that brushed aside. We talk about \$60,000 for litigation and our Law Department, we could end up with a lifetime lawsuit — supply somebody's welfare for the rest of their life, let's find out about it.

**Mr. Givens:**

I'll find out about it Michelle.

**Michelle Madoff:**

Thank you.

**The Chair:**

Dick, do you want to get (Lou) Gaetano up on that. I didn't know they were tying people in, seriously.

**Michelle Madoff:**

I didn't know about it either, didn't quite understand.

**The Chair:**

I never saw it but it is possible anything is possible today I guess.

**Mr. O'Malley presented**

No. 2585 WHEREAS, February 8th through 14th is National Crime Prevention Week; and

WHEREAS, the Council of the City of Pittsburgh wishes to recognize the many police officers and probation officers working toward crime prevention; and

WHEREAS, the Council of the City of Pittsburgh wishes especially to recognize all the community programs for they allow for the highest possible crime prevention activity in these times of austerity; and

WHEREAS, Crime Prevention is everybody's job and we should take one week out of the year to remember that.

NOW, THEREFORE,

BE IT RESOLVED that the members of the Council of the City of Pittsburgh hereby recognize the week of February 8th through 14th, 1981, as "Crime Prevention Week" throughout the City of Pittsburgh and express our appreciation for the achievements of all those involved in crime prevention who have done so much to make our communities safe.

Which was read.

**Mr. O'Malley moved for adoption.**

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. O'Malley:**

I would like to have Bill Conway from the Neighborhood Centers Association and Mr. Carroll Burns, Pittsburgh Police Officer, Community Relations to come up here and accept this resolution please.

**Mr. Conway:**

In behalf of the Pittsburgh Community Crime Prevention Coalition and all of the community groups and other service groups throughout the City of Pittsburgh I would like to express my appreciation to Council for recognizing the efforts of all of these groups throughout the City of Pittsburgh in fighting crime in the neighborhoods and in trying to make their neighborhoods a safer place to live. Thank you.

**Mr. Burns:**

On behalf of the Pittsburgh Police I would also like to thank Council and I would especially like to thank Bill Conway and the Coalition for working with the Police Department and with their government in showing a concern in their neighborhood and in all neighborhoods in the City in order to inform the residents on where they stand in our system and how to better become the best crime prevention people in the world and that is by being a good neighbor and anybody who works as hard as Bill and the Coalition to make people realize their responsibilities in their neighborhoods, I have nothing but praise for them and praise for a Council who has recognized them. Thank you very much.

**The Chair:**

Congratulations gentlemen and to

your organizations.

**Mr. Robinson and Mr. Flaherty presented**

No.2586 WHEREAS, Harold West has devoted nearly forty years of service to the citizens of the City of Pittsburgh through Government Service; and

WHEREAS, he has served in the high capacity of Director of the Department of Lands and Buildings, City of Pittsburgh and on numerous boards, committees and panels; and

WHEREAS, he has decided to retire after distinguished service to Pittsburgh and has participated in the development of Renaissance II and the general improvement of Pittsburgh.

NOW, THEREFORE,

BE IT RESOLVED that this Council and the Mayor on behalf of the citizens of Pittsburgh do recognize, give thanks, and appreciation to Harold Wst on the occasion of his retirement from Government Service.

Which was read.

**Mr. Robinson** moved for adoption.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**The Chair:**

Mr. West, would you come up here please. Harold, on behalf of City Council it is a pleasure to present you with this resolution, would you say a few words.

**Mr. West:**

Mr. President and members of Council, I don't know how to express my

appreciation for this honor which you have given to me. It was indeed a pleasure having served 34 years with the City of Pittsburgh, some of them good years, some of them tough years, the fun went out of it and I decided that I would pull the plug. I am still going to be around, I still owe the City a lot, this City was very good to me. Once again, I want to thank all of you people on Council, all of whom are professionals and although we had our differences I feel it is professionals working in a professional manner and we were able to solve most of them. Thank you.

**The Chair:**

Congratulations Harold, we all wish you well.

**Mr. Flaherty:**

I just wish to add a few words as having the honor to be the Chairman of Lands and Buildings Committee since I was sworn in on Council. I had the privilege to work extremely close with Harold West, in fact, from the day I was sworn in he was one of the first people to greet me and I just have to say, over my year on Council, Harold certainly had the ability to communicate with me most adequately and I don't believe we ever had an argument over anything. I am sure at times, because I was naive and certainly a novice I tried his patience, but I just want to add as Harold has said, he had some good years and he had some bad years and it was time to just graciously retire, at least from this job and I think that retirement, especially in light of the astronomical pay raise that Harold was going to receive was certainly reflective of his entire tenure which showed a lot of class and a lot of sincerity.

**The Chair:**

Thank you Mr. Flaherty.

**Mr. Givens:**

Mr. President, I would just like to say one more word about Harold, the indicated in the newspaper that he was going to start off clerking at one of the major stores someplace up north of here. The only thing I would say if I can review Harold's record with the City of Pittsburgh, where he started and how he worked his way up through his diligent work and hard efforts, to the Director of a major department within the City of Pittsburgh, I would hope that he would be owning that store up there in the northern part in not too long of a time. Thank you Harold.

**The Chair:**

When Harold was up here he whispered to me that he was really going out there to fill those valleys up Dick.

**Michelle Madoff:**

Mr. President, I would like to say whether it is in order, even on a Monday when something is happening of any significance and the media is covering a major issue in the City and Council is not aware of it, whether somebody in charge whoever is in charge of that department I don't mean the Committee, I don't mean the Councilmembers, but that the department heads alert us and — for example, we are going to be at a hearing tomorrow, most of us are around and we should be briefed, even if it is a memo, very quick Xerox memo. I understand there is a big problem today, Mr. McCracken is quite aware of it, at one of the — which one was it Bill, the Herron Hill Reservoir is overflowing, it is a continuous problem, it is a hazard now all the media has been out there, there is a lot of ice, and it is very, very dangerous, and I am head of the Committee but nobody

bothered to tell me.

I would like to know when we vote on bills —

**The Chair:**

We thought you were there already.

**Michelle Madoff:**

I would have been, at 10:30 I would have shown up, had I known.

**The Chair:**

Is that going on now Bill?

**Mr. McCray:**

They were up there at 10:30, we called them to come up at 10:30, see, this is the third or fourth time this has happened and nothing has ever been done up there. It has ruined our property, the water seeps through the — not my house but the next door neighbor's.

**The Chair:**

What does it do? Form ice and then when it thaws go over?

**Mr. McCray:**

Its just like an ocean up there.

**Michelle Madoff:**

What I'm saying is that we don't know about these things unless somebody like Bill who happens to work here comes and tells us about it. I think when there is a major water break for example, I don't want to hear about it in the news. I want the Director to call and tell me we've got a major water break. And I'm sure you, as President of Council, should be aware of it. Supposing the media calls you up and says, "Mr. President,

what about this big water break in Oakland where they have shut off water for the whole area?" and you say, "What water break?". Don't you think you ought to know as President of Council? The Mayor is notified. I think you should have the same courtesy and I would like that as a motion that from here on in, that any major incident that happens in any department, that the President of Council be notified and as many Councilmembers as possible, a memo to the head of that Committee on Council with copies to every other member of Council. Will someone second that please?

**Mr. O'Malley** seconded the motion. Which motion prevailed.

**The Chair:**

Very good motion, thank you, the motion carries.

**Mr. Givens:**

I have some unfinished business, one subject I would like to discuss Mr. President. I think some of us were down at the opening of the Convention Center and hearing some of the comments of the people who apparently came down there for the first time to look at the Convention Center and walk our Liberty Avenue — I would like to mention one thing that is happening in our sister City of Philadelphia. Nine operators and employees of the adult movie theaters and bookstores in Philadelphia have been arrested in raids that the District Attorney called the beginning of a major crackdown on pornography in the City. The District Attorney Edward Rendell said the goal of the crackdown is to drive pornography movies, houses and bookstores out of business through prosecution leading to stiff prison sentences and heavy fines. The arrests were the first in the City since the

State's new Obscenity Law went into effect in December. The law prohibits the distribution and display of obscene material in any area accessible to viewing by the public and provides for jail terms and fines for those convicted of doing so.

I think we have come to a crisis situation on our Liberty Avenue right now with the opening of the particular Convention Center and what that means and what it means to the Mayor and I would like to know what the City of Pittsburgh is doing.

Mr. Perry, I would like letters to go to the Mayor's Office, to Superintendent Coll, and to District Attorney Colville asking what actions they have taken to enforce the State Obscenity Law. I would like for the Mayor to invite the Councilmembers to an executive session if need be to describe what efforts he will be taking to get rid of this particular blight in the middle of our downtown area.

**Michelle Madoff:**

Mr. President, it might also be a good idea to have our city planners and the people from the Heinz Foundation, a representative to brief us in what has actually been purchased. I understand they have purchased a number of the massage parlors and pornography shops and perhaps, you know they are supposed to be expediting the Allegheny Conference — expediting a plan to get Liberty Avenue moving. Maybe what we need to do is to get that plan moving before some other plan, maybe that might take a priority because you cannot legislate morality but you can zone it out of business, and maybe we ought to again, do it from a logical approach, let's have a briefing on what is happening and let's get a deadline date when these buildings are being taken over and so on

so we know from where we are working we don't function in a vacuum.

Would you do that Mr. Perry would you ask City Planning and ask Planning whether they would be courteous enough to invite somebody from the Heinz Foundation, who I'm sure would love to come and tell us because they were a little distressed, they were accused of buying up pornography and massage parlors, it was in the media a sort of a ha, ha, inside joke but they didn't appreciate it. They are doing it because they are going to convert those buildings. Let's find out how many and what.

One last item Mr. President, when I mentioned the business of the insurance before, my aide informs me, we have not had as much chance to speak, that the list came to my office, of the people who are driving the vehicles. You requested that from Larry Yatch, did you get that copy Mr. Perry? They sent it to me and not to you, so if Miss Stouffar and you will get together, you can have the list and what you want to know is how many are getting the insurance, if not, why not, is it a financial handicap and are they not covered under their own insurance and do they want it and then we as Councilmembers can decide if there is a small amount we want to cover them so we don't have another million dollar claim.

**Mr. O'Malley** moved to excuse Mr. Stone for absence from this meeting.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Robinson** moved to approve the minutes of Monday, January 26, 1981 and Monday, February 2, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mrs. Masloff:**

I move to adjourn this meeting  
and meet again next Tuesday, February  
17, 1981 at 2:00 P.M.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

FEBRUARY 17, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRA Y**... Ass't City Clerk

Pittsburgh, PA  
Monday, February 17, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 2587 Resolution amending Resolution No. 1262, effective 12/5/80, entitled, "Granting a License to Duquesne Light Company for the

installation of one (1) pole and one (1) anchor, together with guy wires, upon, over and across City property fronting on Arlington Avenue, 16th Ward" by changing the block and lot number.

Which was read and referred to the Committee on Lands and Buildings.

##### Mr. Givens presented

No. 2588 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of an IBM System 6/440 Information for the Department of Personnel & Civil Service Commission, the cost of which is not to exceed \$12,000.00, chargeable to and payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel & Civil Service Commission.

Which was read and referred to the Committee on Supplies.

Also,

No. 2589 Communication from Louis Gaetano, Director, Department of Public Works requesting permission for Messrs. McGee and Stofko to attend Seminar on Rehabilitation of Urban Highways and Bridges, New Orleans, LA, March 16-18, 1981, at aggregate cost not to exceed \$1,500.00, payable from Code Account Nos. 1502 and 1503, Miscellaneous Services, Department of Public Works.

Which was read and referred to the Committee on Public Works.

Also,

No. 2590 Communication from Lawrence Yatch, Director, Department of Supplies requesting permission for James Barrett to attend one-week course on Tele-Communications-Voice, beginning February 9, 1981, Cincinnati, Ohio, at a cost not to exceed \$700.00 payable from Code Account No. 1128, Miscellaneous Services, Department of Supplies.

Which was read and referred to the Committee on Supplies.

**Mrs. Masloff presented**

No. 2591 Resolution transferring the balance of \$30,946.93 from the Central North Side Ballfield Development Project Trust Fund (CNSBDPTF) to the Unrestricted Cash Balance in the Department of Parks and Recreation.

Which was read and referred to the Committee on Finance.

Also,

No. 2592 Resolution providing for a Supplemental Lease Agreement with the School District of Pittsburgh for certain property in the 28th Ward adjacent to the Westwood Elementary School, amending the current Lease Agreement, as revised, by extending the term of the Lease and providing for the construction by the City of a swimming pool on the leased premises.

Also,

No. 2593 Resolution providing for an agreement or agreements with part time, as needed, Community Education Instructors in connection with the 1981 Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof, not to exceed \$3,000.00 (SPPTF).

Also,

No. 2594 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$209.79 to W. G. Tomko and Son, Inc., for extra work in connection with Broadhead-Fording Pool and Park, Plumbing Contract.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 2595 Resolution transferring \$28,500.00 from Code Account 30, Refunds, All Other Taxes, to Citizens-Police Partnership Against Crime Trust Fund.

Which was read and referred to the Committee on Finance.

**Mr. O'Malley** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 2596 Resolution amending Resolution No. 660 of 1980 which authorized an agreement or agreements with the Neighborhood Centers Association for the Citizen Police Partnership Against Crime Program, also called North Side A.C.T. (Against Crime Together), by increasing the cost from \$28,716.00 to \$29,709.00.

Which was read and referred to the Committee on Public Safety.

**Mr. O'Malley** moved to suspend Rule A by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson** presented

No. 2597 Resolution providing for the issuance of a warrant in favor of GAF Corporation in the amount of \$631.67 for the repair of the ozalid machine in the Pittsburgh City Planning Department without previous authority of law.

Which was read and referred to the Committee on Finance.

Also,

No. 2598 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the administration of the Station Square Urban Development Action Grant and providing for the payment of the cost thereof, cost not to exceed \$4,847,000.00, payable from Station Square Urban Development Action Grant Trust Fund.

Also,

No. 2599 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Gateway Clipper at Station Square Urban Development Action Grant Project; and providing for the payment of the cost

thereof, cost not to exceed \$1,055,000.00, payable from Gateway Clipper at Station Square Urban Development Action Grant Trust Fund.

Also,

No. 2600 Resolution amending Resolution No. 1176, approved December 27, 1979, effective December 31, 1979, entitled, "Resolution approving application for preliminary loan for low rent public housing," by increasing the amount of the preliminary loan from not to exceed \$66,400 to \$96,400.

Also,

No. 2601 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 25th and 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 46-N-43, 45-S-336, 45-R-104, 45-M-88, 22-D-162, 45-M-135, 45-M-135a, 45-M-135b, 45-M-136, 22-D-134, said properties having been certified as blighted by the Vacant Property Review Committee on the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2602 Resolution authorizing the URA of Pittsburgh to acquire that property in the 1st Ward of the City of Pittsburgh owned by Joseph E. and Carol Jonnett and designated as Block and Lot 11-J-173 in the Deed Registry Office of Allegheny County, under the RLRF, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2603 Resolution authorizing the URA of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Fred and Nathan Stephen and designated in the Deed Registry Office of Allegheny as Block and Lot 45-M-110, under the RLRF, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2604 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Robert B. Allensworth, Jr. and designated as Block and Lot 23-F-129, in the Deed Registry Office of Allegheny County, under the RLRF, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2605 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Allegheny Housing Rehab Corporation and designated as Block and Lot 46-N-201 in the Deed Registry Office of Allegheny County under the RLRF, said properties having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2606 Resolution authorizing the URA of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by William Funk, Executor of the Estate of James J.

Hoban and designated in the Deed Registry Office of Allegheny County as Block and Lot 45-S-121, under the RLRF, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2607 Resolution authorizing the URA of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Walter R. Skorput and designated as Block and Lot 46-J-260 in the Deed Registry Office of Allegheny County, under the RLRF, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2608 Resolution authorizing the URA of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Robert L. and Paulette M. Richard and designated in the Deed Registry Office of Allegheny County, under the RLRF, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2609 Resolution authorizing the URA of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Fred and Willie B. Murray and designated as Block and Lot 45-M-101, in the Deed Registry Office of Allegheny County, under the RLRF, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Pittsburgh.

Also,

No. 2610 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Frances L. James and designated as Block and Lot 45-R-103 in the Deed Registry Office of Allegheny County, under the RLRF, said properties having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Also,

No. 2611 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Troy and Lela A. Thomas and designated as Block and Lot 22-D-161 in the Deed Registry Office of Allegheny County under the RLRF, said properties having been certified as blighted by the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2612 Resolution authorizing the URA of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Benjamin F. McCormack and designated as Block and Lot 45-S-120 in the Deed Registry Office of Allegheny county, under the RLRF, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2613 Resolution authorizing the URA of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Amos C. Harp, Jr.

and designated as Block and Lot 115-C-166 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2614 Communication from Robert Lurcott, Director, Department of City Planning, requesting reimbursement to Gary Erenrich of \$200.00 for travel expenses in connection with attendance at meeting with Pennsylvania Department of Transportation and Federal Highway Administration, October 24, 1980, Harrisburg, PA, payable from Code Account No. 1103, Miscellaneous Services, Department of City Planning. Amended Council Bill No. 1859 has been submitted.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 2615 Resolution providing for the issuance of a warrant in favor of Computerworld for the cost of advertising without previous authority of law, in the amount of \$441.00, payable from Code Account No. 1048, Miscellaneous Services, Department of City Controller.

Also,

No. 2616 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed.

Also,

No. 2617 Resolution providing for the issuance of a warrant in favor of Ruth Y. Law in the aggregate amount of \$844.00 for professional court reporting services rendered for the benefit of the City in connection with the case of David Forthuber and Karen Duncan vs City of Pittsburgh.

Also,

No. 2618 Resolution authorizing the issuance of a warrant in favor of Civic Center Cleaning Company, Inc., in the amount of \$321.02, payable from CETA Trust Fund, Federal Funds.

Also,

No. 2619 Communication from Al Benedict, Auditor General, Commonwealth of Pennsylvania, submitting Audit Report of the Firemen's Relief and Pension Fund of the City of Pittsburgh for the period January 1, 1978 to December 31, 1979.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 2620

Report of the Committee on Finance for February 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2519

Resolution entitled, "Resolution transferring the sum of \$4,325.00 from

Code Account Number 1067-1, Premium Pay, Department of City Treasurer to Code Account 1126-1, Premium Pay, Department of Supplies."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2526

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dan Construction Company, Inc., 4025 Carlyn Drive, Pittsburgh, PA 15236, in the amount of \$4,300.00 in payment for installation of a 20" Gate Valve on Spring Garden Avenue at Chestnut Street furnished for the benefit of the City in connection with the Street Rehabilitation at Spring Garden Avenue and Chestnut Street and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2574

Resolution entitled, "Resolution carrying over balances or portions thereof remaining in certain code accounts for the year 1980 to the same code accounts for the year 1981."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson

Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 2121

Report of the Committee on Public Works for February 11, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2459

Resolution entitled, "Resolution providing for an Agreement or Agreements with Michael Baker, Jr., Inc., for professional services in connection with a preliminary permit for hydroelectric facilities at the Allegheny River Lock and Dam No. 2; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 2459, I had been away and was not aware of what was involved and I have since spoken with Mr. Gaetan and if we are fortunate enough to be the winners in this contest to get this contract, we will be supplying energy for asphalt plant and for Brilliant — for our Water Treatment Plant, and this would be a tremendous saving to the City and I did not know what it was, it does not

ed an authority and I offer my  
wholehearted support for it.

**Mr. Robinson:**

I would like my comments brought  
forward from Wednesday a week ago.

**MR. ROBINSON'S REMARKS ON BILL  
O. 2459 FROM THE MEETING OF  
WEDNESDAY, FEBRUARY 4, 1981:**

**Mr. Robinson:**

Mr. Gaetano, just one minute. We  
now that Duquesne Light is the only  
electric company throughout Allegheny  
County and they are requesting a rate  
hike through the PUC. We also know  
that there are elderly people and low  
income people who cannot afford to pay  
their electric bills now. With this  
hydroelectric facility will we be able to  
generate electricity throughout the City  
of Pittsburgh from the dam?

**Mr. Gaetano:**

Yes, that can be done.

**Mr. Robinson:**

You are telling us that if and when  
we get this, we can generate this  
electricity to the businesses in the City  
of Pittsburgh, what about the residents  
throughout the City of Pittsburgh, can  
that be done?

**Mr. Gaetano:**

I don't know, I suppose that can be  
done; you will be able to generate  
electricity throughout the City and still  
have an excess left over at the end of  
the year.

**Mr. Robinson:**

If we can generate this electrical

power throughout the City we will still  
have an excess at the end of the year?

**Mr. Gaetano:**

Yes.

**END OF MR. ROBINSON'S REMARKS  
ON BILL NO. 2459, 2/4/81.**

Also,

Bill No. 2467

Resolution entitled, "Resolution vacating  
portions of Market Street, Fourth  
Avenue, Filter Way, and Chancery Lane  
in the First Ward of the City of  
Pittsburgh, in accordance with the  
provisions of the Market Square  
Redevelopment Area Plan and the  
Market Square Cooperation Agreement."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills  
pass finally?"

The ayes and noes were taken  
agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And a majority of the votes of  
Council being in the affirmative, the  
bills passed finally.

**Mr. Robinson presented**



Bill No. 2622

Report of the Committee on Planning, Housing and Development for February 11, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2436

Resolution entitled, "Resolution implementing a Community Advisory Board in District 18 and providing for the organization thereof."

Which was read.

**Mr. Robinson:**

In accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date of Bill No. 2436 shall be February 17, 1981.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

On 2436 Mr. President, that is on the Advisory Boards, are we going to have a public hearing on that particular bill?

**Mr. McCray:**

Yes.

**Mr. Givens:**

That is still scheduled?

**Mr. McCray:**

Yes, that is scheduled.

**The Chair:**

There was some technicality there where Mike said that they didn't comply with, I think it was rather immaterial and they should have had a hearing, but that is one of those things.

Also,

Bill No. 2533

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Economic Development Administration for a grant in connection with the Upper Strip District Technical Assistance Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Upper Strip District Technical Assistance Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 2534

Resolution entitled, "Resolution providing for an Agreement or Agreements with the County of Allegheny for the provision of the local matching share funds required in connection with the Economic Development Administration Revolving Loan Fund administered by Pittsburgh - Countywide Corporation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2535

Resolution entitled, "Resolution amending Resolution No. 37, approved January 16, 1981, entitled, 'A resolution amending Resolution No. 859, approved July 24, 1978, which provides for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the implementation of the Industrial Loan Program and providing for the payment of the cost thereof.'"

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 2623  
Report of the Committee on Parks and Recreation for February 11, 1981

transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2528

Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the United States Department of Interior, Heritage Conservation and Recreation Service for a grant in connection with the Rehabilitation of Four Neighborhood Facilities: Fowler Pool and Playground, Friendship Park, Ormsby Pool and Playground, and Northview Heights Playground; providing for the execution of a Grant Contract or Contracts and for the filing of requisitions and other data, approving the Rehabilitation Projects; providing for the required assurances, providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the creation of the Neighborhood Facilities Rehabilitation Trust Fund (NFRTF)."

Which was read.

Also,

Bill No. 2529

Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for professional services in connection with the design, construction, and installation of a nature display system at the Frick Park Nature Center and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 2624

Report of the Committee on Public Safety for February 11, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2530

Resolution entitled, "Resolution providing for the charges to third party payers for ambulance service rendered to the residents of the City of Pittsburgh, and creating a special trust fund in connection therewith."

Which was read.

**Michelle Madoff:**

On Bill No. 2530, I would like it recorded that when Mr. Bulls and I, Councilman Bulls and Michelle Madoff introduced the bill for non-City residents to be charged, we also had requested, specifically requested and had some dialogue at a Post Agenda meeting on several occasions, with the Director, with reference to charging third party payees, we even had, as I recall, when said he didn't remember, I remember we had the son of our Controller, who is the head of the Blue Cross, Blue Shield, and we asked him, we had a special hearing on it and I would like it recorded that this was brought up before and presented as not being viable and I want to commend Councilman O'Malley for his perseverance in following through.

I would also like to request that the Clerk ask the Director of the Paramedical Service, Glenn Cannon, to please give us an update in four months of what is being — revenue that is being generated, because you will need some time to get it going, and I want an update on dollars that have been generated from non-City residents, breakdown by year.

**Mr. Stone:**

Mr. President, if I may, for those of us who were in Council and led the legislation to put Emergency Medical Services in the City of Pittsburgh in the first place, we recognized then a need, an immediate need to service a big portion of the City of Pittsburgh, namely our elderly who comprise 30% of the City's population. But I think I would be remiss if we didn't, on occasion, indicate that because of that action, we are elated because of the professionalism that has come out of that program, I think they have made tremendous progress and it might be at this time an opportunity to state that. In addition, the legislation that I am co-sponsoring with Mr. O'Malley today, I think is

complimentary to it because while the City of Pittsburgh residents are paying in taxation for emergency medical care, they are not however, paying any additional monies under this particular piece of legislation and it is not an additional burden in funding. But I also would like to point out and make it very clear, under Section 2, is also included, "Provided however that nothing herein shall require payment or proof of ability to pay prior to or conditioned upon the rendering of services and transportation by the Emergency Medical Services". We felt that it was an emergency situation, services should be rendered and I think that this, as I have indicated, is totally complimentary to the original bill and I wholeheartedly join Mr. O'Malley in it.

**Michelle Madoff:**

I would like to add one statement. I got to Council and had to learn a little bit, and I understand that — Councilman Givens and I were just chatting — he had introduced this long before I got to Council and he predicted this is what was going to happen. I think it is ironic that when Councilman Givens and Mr. Bulls and myself were really pushing for this and had Blue Cross, Blue Shield representatives here to talk to us about the possibility of third party payees, we could have used the benefit of Mr. Stone's input. It is unfortunate we waited this long, but better late than never.

**The Chair:**

Well, I think we were all aware of the fact that as long as it didn't affect the residents of the City of Pittsburgh that there be no further charge, I think everybody was willing to go along, that was my hang-up and I think most of the Councilmembers.

**Mr. Stone:**

Mr. President, I could not let that pass, I think the original bill was to tax the City of Pittsburgh monies for it, and I said then and I stay consistent —

**Michelle Madoff:**

That is erroneous, that was one of the proposals —

**Mr. Stone:**

I will go for no charge extra for the residents of the City of Pittsburgh, they are paying close to \$4 Million toward Emergency Medical Services and not one more penny will they pay for it. But as far as this particular provision is concerned, it is having third parties pay for it and it is totally different than what was attempted to be done before.

**The Chair:**

I think regardless of what we are saying they were all agreed on that matter.

**Michelle Madoff:**

Mr. President, could you help me please? Is John McGrady's son called John McGrady as well, who is with Blue Cross, Blue Shield?

**The Chair:**

Yes.

**Michelle Madoff:**

Does he not represent third party payees? Is that not why we had him here for a hearing?

**The Chair:**

Right.

**Michelle Madoff:**

Thank you Mr. President.

Also,

Bill No. 2531

Resolution entitled, "Resolution providing for a License Agreement or Agreements with United States Steel Corporation for installation of radio equipment on the U. S. Steel Building at 600 Grant Street; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 2625

Report of the Committee on Lands and Buildings for February 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2512

Resolution amending Resolution No. 1155, approved 12/21/79, for the sale of property in the 13th Ward on Kelly Street & Fluery Way designated as Block 174-J, Lots 110-114, inclusive, to Bernice S. Sandidge, for the sum of \$6,500.00. Amendment is to delete incorrect description from Parcel 174-J-110.

Which was read.

Also,

Bill No. 2513

Resolution amending Item (G) of Resolution No. 1210, approved 11/21/80, for the sale of 2 lots on Spring Garden Avenue, 26th Ward, designated as B. & L. 78-L-167, to Milton A. & Sandra L. Werner, for the sum of \$750.00. Amendment is to delete plan lot #8 from sale and reduce the price to \$450.00.

Which was read.

Also,

Bill No. 2514

Resolution amending Item (D) of Resolution No. 40, approved 1/22/81, for the sale of 3 story house on Frankstown Avenue designated as B. & L. 125-E096, to Jerry Brown for the sum of \$4,600.00. Amendment is to correct name of one of the former owners.

Which was read.

Also,

Bill No. 2515

Resolution repealing Item (B) of Resolution No. 40, approved 1/22/81 for the sale of 2 story brick house, 2522 Rear Elba Street, 5th Ward, designated as Block 10-M, Lot 102, to Johnnie & Gladys P. Johnson for the sum of \$3,200.00. Resolution is to repeal sale and return hand money to purchasers.

Which was read.

Also,

Bill No. 2516

Resolution repealing Resolution No. 359, approved 5/11/77, for the sale of row houses in the 13th Ward on Kelly & Fluery Way, designated as B. & L. 174-P-336, to Ruben Thomas for the sum of \$5,000.00. Resolution is to repeal sale and forfeit hand money.

Which was read.

Also,

Bill No. 2517

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. DePasquale
	(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**The Chair:**

If I may take the prerogative of the Chair, this past Wednesday, we called in the Superintendent of Police in front of almost a full Council, in front of the Press and other witnesses. He was requested to bring in Miss or Mrs. Lucarelli who was involved in that fracas at the Police Station. He said he asked Mrs. Lucarelli to come and she refused to come, she said she would not come. He also said he had talked to Inspector Moore and Assistant Superintendent DeRoy and he got a version from them that was completely different from what the newspapers had printed.

The reason I am bringing this up is because the man told a blatant lie. Not one but two. Number one, he never asked Miss Lucarelli to come here, she called me on the phone and was all distraught and crying and said that it was a lie, she hadn't been asked and she welcomed the pleasure to come to Council, she wanted to tell her full story. Inspector Moore called and told me that he didn't tell Superintendent Coll the story as Coll said it was related to him. He did say he didn't talk to Moore but he was told it was a different version completely. He tended to make a complete lark of it and a "horseplay

thing" as he called it and nothing else, when in fact, the girl said the revolver was pointed at her, the man did pull the trigger and the man did say, "Bang, you're dead", and there was a shell in the chamber. That notwithstanding, obviously a police officer of the City of Pittsburgh, if he is going to point a revolver at anyone is crazy and it shouldn't be, nobody should be doing it, much less a policeman. But the part that disturbs me more than anything else in this whole thing, is the Police Superintendent of the City of Pittsburgh who I have called a liar before, and I have called a bigot before, so I'm not backing down on that. How he had the audacity to come to this Council and tell us that lie, that that girl refused to come here when he hadn't even asked here, and then how he had the audacity to tell us that Moore gave a story that never happened.

Now, here is the Police Superintendent of the City of Pittsburgh of whom I've asked for his resignation on two or three occasions, and I don't want to go that far again because I realize it is a waste of time, but if the Mayor of the City of Pittsburgh does not suspend this man indefinitely for those actions, if for nothing else but because of the very fact that he lied at this Council table and if we can't have any more honor or integrity among our officials, especially our department heads, I don't know where this City is going and I don't know where City Council is going. I just don't know how the man had the gall to come here and say what he said when he realized we may have found out differently.

Now, I don't know what action this young lady is going to take but she said she is not satisfied with what was done to the other person, she is not satisfied with the Police Superintendent's version or how he intended to handle it or did

handle it, and she said she would like to carry it out and she feels that just being a citizen of the City of Pittsburgh was enough to give her protection from some nut and that is all he has to be in pointing a revolver at her in a police station at a fellow police officer at that. So, I don't know what action City Council wants to take, I don't know if you want to take any action at all, but I think in the future, if Directors or department heads come up to that table and lie in that manner and we have no recourse, then shame on us and there is no reason for us to even be here. I think we are the last resort for people in the City of Pittsburgh, and apparently we are not being treated accordingly. I really don't understand it. The morale of the Police Department has to be shot completely over an incident of this nature. It just doesn't make any sense. Anybody who points a revolver at somebody is committing a crime.

#### **Mr. O'Malley:**

Mr. President, as you say, this Council could be the last recourse for a lot of the people and a lot of their problems, and I'm told that we have the subpoena power, to subpoena the man and woman involved and also subpoena Superintendent Coll and have the three of them plus witnesses come in to this table and clarify this matter once and for all.

#### **The Chair:**

Yes, Mr. O'Malley you are 100% correct. The girl said she wants to come, she will come.

#### **Michelle Madoff:**

Mr. President, would you call her woman for me — that's three times, she is not a girl she is a woman, girls are little teeny tiny people who make in

their pants. When they get out of that they become women.

**The Chair:**

Where I come from a girl is a girl.

**Michelle Madoff:**

They are women, I wouldn't call you boy.

**Mr. Givens:**

Mr. President, may I submit to Council, I feel this is an Administrative thing, the Council does have the prerogative of going into this, but before we do, could we not ask for the Mayor's Office and the Mayor himself to personally investigate these charges and come back with a full report to this Council before this Council proceeds on its own initiative to take some type of action.

**The Chair:**

I won't dispute that with you Mr. Givens, with the exception that the Mayor, I think, is prepared, at least he told me, to accept Superintendent Coll's version of what happened. I don't really care about that. What I care about is him coming to that table and telling that bald faced lie that that girl didn't want to come here, and if anybody here can recall, I said to him, "Did you order her not to come?", he said, "No", and I said, "Are you sure you told her to come?", he said, "Absolutely", and the girl said that conversation never took place.

**Michelle Madoff:**

Its a matter of record that you asked him, that is all in the record that you said that.

**The Chair:**

It is also a matter of record that the young girl said that she was never asked and that young woman wanted to come here. She is looking forward to the opportunity of coming here.

**Mr. O'Malley:**

As Chairman of Public Safety, I would like to request her here on Wednesday, tomorrow.

**The Chair:**

Also, I'd go a step further if I were you Mr. O'Malley and ask her if she would bring any witnesses.

**Mr. O'Malley:**

I can't have this tomorrow.

**Michelle Madoff:**

Why not tomorrow?

**Mr. O'Malley:**

I'm going to need some time.

**Mr. Givens:**

Well, Jim, I don't know, you know, I think to a certain degree this thing is being taken out of text and I have to appreciate what "Jeep" is saying, I would like that the Council, if we are going to do this, that we do it in Executive Session where the information is given us that there could be a lawsuit coming out of this for example —

**Mr. O'Malley:**

What do you mean by and Executive Session?

**Mr. Givens:**

Executive means we do it in our



own Conference Room without any public disclosure of the information that we are going to do.

**Michelle Madoff:**

That's not fair.

**Mr. Givens:**

Without the disclosure of the information, first. I still appeal to the Council to have the Mayor give this Council a full report. I would like that before proceeding on, but if you want to use your prerogative or anyone wants to use their prerogative to proceed in Council, I think this thing has become a sensitive area, there is contradictory information coming from at least one side, and I think we should handle it in that fashion. It is sensitive, I think it up and make it a public forum, I think it is something that we should handle in an Executive Session.

**The Chair:**

If I may, you are playing it the same way Coll did, you are playing it down. It happened, and the public should be made aware that it happened, they should know the true story.

**Michelle Madoff:**

The public's right to know.

**The Chair:**

They are telling lies that it didn't happen the way it happened and I don't think litigation notwithstanding, that there is going to be any problem with that young lady coming to that table and telling us exactly her version as to what happened.

**Mr. Givens:**

Okay, we get that version and then where do we go from there?

**The Chair:**

Well, we've got to get it at this table and we've got to get it in a public session. That man, I repeat, came to the table as Superintendent of Police, told you and I, other members of Council, that that woman refused to come. That she refused an order from City Council and in the phone call from that young lady to me, that young lady said she wanted to come here, she welcomed the opportunity and she felt this was the place to lay it out on the table and if you have a Police Superintendent in the City of Pittsburgh that is going to continue to lie to Council in that manner and the Mayor of the City of Pittsburgh does not suspend him, then there is something wrong.

**Mr. Givens:**

I have to appreciate what you are saying.

**The Chair:**

Now I wouldn't go so far as to ask for his resignation, I'd love it, and I go on record as saying, I'd love his resignation, but the man definitely should be suspended if only for lying to City Council, to the Press and other witnesses here last Friday. And I may even make an apology to the Press because after hearing his version I fell right in line and it turned out he was telling a mock lie because what had happened didn't happen as he said. The revolver was pointed at the girl, the man did say, "Bang, you're dead", there is some question as to whether he pulled the trigger or not, so I won't go that far — she hasn't said yes or no. But the fact that he pointed that damn revolver. In all the time I was in the Marine Corps I turned one man in and

he got six months in the guardhouse and that was for pointing a rifle at another Marine and when he said it was empty I said it was no damn excuse and I took him up in front of the man and he got six months. You just don't point a rifle or a weapon at somebody, especially a policeman or a soldier.

**Michelle Madoff:**

It is moved and seconded, is that correct, that we have her here tomorrow?

**The Chair:**

Absolutely.

**Michelle Madoff:**

And then we'll hear both sides out in the open and then we proceed from there to decide what powers we use.

**Mr. McCray:**

Do you want Superintendent Coll here too?

**The Chair:**

No, no, no, there is no use in having the liar, I don't want him —

**Mr. Flaherty:**

No, I believe that we should have the Superintendent also because —

**The Chair:**

I disagree with you to one extent Mr. Flaherty because when he gets up here there is going to be a brawl tomorrow because that man, after he told that one lie, is going to have to tell another one. So, for his sake, I don't think he should be here. I don't know how he is going to get out of that lie

with that girl saying —

**Mr. Flaherty:**

No, Mr. President, we don't know though, who is telling the lie, the girl says that Coll is lying —

**Michelle Madoff:**

Woman.

**Mr. Flaherty:**

I'm sorry Michelle, the woman says that Superintendent Coll is lying, I believe that he is entitled to stand up to her charges and if he feels that she is telling a lie, he should be entitled to answer her charges, I believe it is only fair.

**Mr. O'Malley:**

If that is the case, then we should have the police officer who was the accused here too.

**Michelle Madoff:**

Absolutely.

**Mr. O'Malley:**

So we should have the young woman, the police officer —

**Michelle Madoff:**

And then we need subpoena powers.

**Mr. Givens:**

That's what I'm saying Jim, you are getting into a trial board situation.

**The Chair:**

I'll agree with Mr. Givens to that extent, there is litigation involved here

and he is the charged person. We just want to hear from her what happened there that day. If she has her day in court someday and wants to repeat that story or not that is something else. I understand and I go on record, you are dealing with a psychotic, there is some hang-up or some problem with the gentleman who pointed that revolver. I hear all kind of stories and if half of them are true, he's got serious problems.

**Michelle Madoff:**

I asked that question of the Superintendent —

**The Chair:**

But I think we would add to his problems by having him here in City Council.

**Mr. O'Malley:**

Let's just have the Superintendent here with her.

**The Chair:**

Okay, if there is no problem with that then, Bill, we will have the Superintendent of Police and Miss Lucarelli here, however, Miss Lucarelli will be informed to come, not through the Police Superintendent because he may come in again and tell us she doesn't want to come, okay? You call No. 2 and talk to Inspector Moore and tell him to be sure that she gets the message, if she is there in person talk to her, I think she is on duty now. You can talk to her, they can track her down through radio.

**Michelle Madoff:**

Mr. President, I have a couple of items that I would like to bring up if I may.

**The Chair:**

Wait, first of all Michelle, if I may let's get on to the resolution we have, retirement of a Police Lieutenant, Mr. Givens has that resolution.

**Mr. Givens:**

Yes, we have a wonderful officer here —

**Michelle Madoff:**

Excuse me, Mr. President, may I make a suggestion which I would appreciate if you would consider — take under consideration. Before we get to resolutions which really wind up our meeting, should we not finish Council business? You just introduced an item of great concern, you feel very strongly about and justifiably so and you know Council supported you in that. It just might be good protocol to set the procedure where we get all of our business out of the way and then we do resolutions. Because what we do is you introduce an off-beat item, then we have a resolution, then we go back to items and I just wonder if you might set a format. In other words, if you had done the resolution first then we could go to items.

**The Chair:**

I'll still retain that prerogative, but if you want to go on to something before the resolution go ahead.

**Michelle Madoff:**

I think it would be a good idea and then we close the meeting with resolutions and that is one way of keeping our members of Council here, because they might want to vote on some of the important resolutions, especially if they introduce them.

**The Chair:**

Okay.

**Michelle Madoff:**

A couple of items I want to touch on.

**Mr. Givens:**

Excuse me I think we have a resolution to introduce here.

**Michelle Madoff:**

No, he said we can take the items first of all.

**Mr. Givens:**

Excuse me, I disagree with that Mr. President.

**Michelle Madoff:**

Mr. President just did the same thing.

**Mr. Givens:**

Well hold it, the resolution should be done first.

**The Chair:**

Well, I took the prerogative of the Chair and I did revert a bit from our customary business, why don't we Michelle, it is going to take a second, let's get the resolution now.

**Michelle Madoff:**

But Mr. President, in the future, would you consider having the business that concerns the public first before the resolutions? You did because you felt strongly, obviously I wouldn't be talking about something if I didn't feel strongly,

I would expect the same courtesy and I think other members of Council should have that and let's wind up session with resolutions which will insure that our members will stay here — perhaps.

**Mr. Givens:**

Well, I have to disagree with that point, but here is the resolution.

**Michelle Madoff:**

Why, are you in a hurry to leave?

**Mr. Givens:**

No, resolutions are a point of law and I think that is more important as far as the business of this Council being conducted first and then we get into discussions.

**Michelle Madoff:**

The people are equally important. It is equal.

**Mr. Givens:**

Well Michelle you get into some very lengthy discussions that people don't want to hear.

**Michelle Madoff:**

Well then don't stay if you don't want to hear it.

**Mr. Givens:**

Let's get the resolutions out of the way.

**The Chair:**

Okay, let's get the resolution for this fine gentleman who is retiring from the Police Department — do we have a problem there?

The Parliamentarian tells us that we must pass resolutions first and then get into the other business.

**Michelle Madoff:**

Then I'm wrong, I admit it, I'm out of order.

**The Chair:**

So I stand corrected for diverting myself. Go ahead.

**Michelle Madoff:**

I'm sorry, I'm out of order Mr. President.

**The Chair:**

I was too, I agree with you.

**Michelle Madoff:**

See, we're agreeing together. Listen, now that I'm separated —

**The Chair:**

If you were woman enough, or lady enough, I'll be gentleman enough.

**Mr. Givens presented**

No. 2626 WHEREAS, on February 9, 1981, John F. McMahon retired from his position as Lieutenant for the Pittsburgh City Police Force; and

WHEREAS, Lieutenant McMahon joined the police force in 1942 and in 1954 he was promoted to Lieutenant, thus completing 40 years of dedicated service; and

WHEREAS, in addition to his outstanding service as a police officer, Lieutenant McMahon is a lifelong member of the Knights of Equity, where

he serves as Supreme Organizer and National Director of Public Relations; and

WHEREAS, Lieutenant McMahon's zeal and labor for social justice will be greatly missed in our City though the spirit of his work will remain.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh hereby recognize and salute Lieutenant John F. McMahon for his 40 years of distinguished service as a Pittsburgh Police Officer, where he displayed sincere dedication in cultivating high social and moral standards in the communities, and wish Lieutenant McMahon a rich and happy retirement.

Which was read.

**Mr. Givens** moved for approval.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I have several items Mr. President. As far as set budgets — it is not necessary to have five copies for me. There is a copy sent to my home, one here in my office, one left here on Friday and one put on my desk. The cost of paper is absurd.

Another item, this place is a pig sty, there are footprints in my office from a week ago. There is dirt caked on my chair, not only mine, but Mr. McCray's as well. There should be something done about this. We ought to hire a cleaning woman up here in Council. If not, everybody should pitch

in and give a job to someone who needs it. This place is disgusting.

**Mr. Givens:**

What about cigarette butts and the dirt that is out in the halls of the building?

**Michelle Madoff:**

This is uncalled for, we need somebody up here to clean. This uncleanliness is uncalled for and I won't stand for it. How can we expect the residents of the City of Pittsburgh to keep it clean when the City-County Building is filthy. We have to set an example.

**Mr. Givens:**

No, go out right onto Grant Street and start picking up paper and the media and everyone will be out there taking photos, you will be more for litter control and the City of Pittsburgh —

**Michelle Madoff:**

Will you do it?

**Mr. Givens:**

No, I think if all of Council goes out there it is a big show. You know, the Mayor pushed a broom down the street and it didn't help the litter problem, but if people, ordinary people, go down and pick up a piece of paper, I have found that in my lifetime, on many military bases where I was in, the base commander would stoop over and pick up a piece of paper, when he did so, when the Mayor did so, when the Judges do so, when our religious people will bend over and pick up a piece of paper and you and I pick up a piece of paper, then we will walk through our streets of the City of Pittsburgh like they do in other European

cities that you have visited where people don't throw papers on the ground, they ravel them up, put them in their pocket, or have a container to throw them in.

**Michelle Madoff:**

I'm not going to do this to death, but it is obvious that the County has surplus tax —

**Mr. Givens:**

Michelle I'll tell you, I've been fighting litter for 30 years —

**Michelle Madoff:**

We're not talking about litter, we are talking about taxation, taxes.

**Mr. Givens:**

The only solution is the people themselves, if they don't want to do it, no one in God's heaven is going to do it other than a sweeper to come down and sweep them from the gutter.

**The Chair:**

When I went to Schenley High School they gave ten cents for everyone who got caught picking up a piece of rubbish or refuse or what have you and one day they gave me the task of going around and putting the names down, so Jay McMahon and I, you know Jay McMahon, we had a little thing going and he picked up about 50 pieces of litter — at least I said he did. He never got the five dollars and I got fired and that was the end of that campaign.

**Michelle Madoff:**

Mr. President, two other items. You know the fire that just took place again in Vegas and you know there was a fire at the Inn on the Park in Toronto,

Canada, which is my birthplace — I had stayed at that hotel. We can no longer wait on that BOCA code. We have, I have requested a hearing in Council, I want to move very rapidly to eliminate the Grandfather Clause and bring buildings up to Fire Code. I see no reason, and you have agreed with me previously, that when people have eight fires and the only exit is through the lobby, I want a fire escape and/or sprinklers and/or smoke alarms and whatever is necessary to save lives because we are seeing a trend and it could happen here. You know when planes are hijacked it puts the ideas in the minds of a lot of other kooks. When you see fire is being set, kooks pick up the idea. We have to do something to protect the people of this community and I want that as an emergency hearing. I may have to go to Germany, you know, on the Solid Waste Program, you are being invited. Let's try to schedule it around that trip. However, let's do it on an emergency basis, I think it is very, very important, would you agree?

**The Chair:**

I agree with you 1,000%.

**Michelle Madoff:**

All right, now I have another one that I don't know if you are going to agree with me on.

**The Chair:**

Can you let me get out of here by 3:15 Michelle?

**Michelle Madoff:**

We'll be out in one minute, can you give me 60 seconds? If you don't fight with me we will be out in 60 seconds.

**Mr. Givens:**

No, Michelle I've got my turn and you said that you were going to be very quick now.

**Michelle Madoff:**

I'm not through — "Louisville Explosion — the City officials examined a crater caused by a pre-dawn series of underground explosions that ripped through the Louisville sewer system". You've heard of ALCOSAN haven't you? You are familiar with that operation?

**The Chair:**

Not really.

**Michelle Madoff:**

I think you are Chairman of the Board?

**The Chair:**

Yes — or a reasonable facsimile.

**Michelle Madoff:**

In my days as an environmentalist, I am very aware of a couple of episodes, one where toxic chemicals — and the way we were going to trace them was with coalis dyes —

**The Chair:**

That's O'Malley's fault, he is on the board.

**Michelle Madoff:**

But I'm an expert that is why you didn't appoint me, I might know what I'm doing, not that he couldn't become one, but he isn't yet.

**The Chair:**

Jim does pretty good. He knows

his way around sludge pretty good. He's a hell of a sludger.

**Mr. Givens:**

But Jim has a lot of other expertise Michelle that you don't even know about.

**Michelle Madoff:**

Oh, I've heard about it.

**The Chair:**

He'll sludge with the best of them.

**Michelle Madoff:**

Now, there was an episode and a lawsuit that took place on the Chambers Landfill, I don't know if you are familiar with that, where the same kind of gas built up at the Chambers Landfill going underground through the old abandoned mines. And because we have all these old abandoned mines we are extremely vulnerable to not only the gases in the sewer but escaping from the sewer leaks into our underground mines. We are an accident waiting to happen and I would appreciate an update from Mr. Creehan or whoever is his Chief Engineer, on what the possibilities are of this happening here in this community and what we are doing to prevent it. Could we have the letter go out respectfully requesting that he come to Council and assure us that we are not going to have the same kind of thing. Millions and millions of dollars and we have a new one — we had one the other day, the electric company, we had another lid blow off and they said it wasn't their problem, they don't know how the gas got into that underground service line. This is terribly important, if we don't address them now when they are brought to our attention, I think many of us will have sleepless nights afterwards. Would you address that personally to Mr. Creehan or do you

want to have it done through the City Clerk?

**The Chair:**

Mr. Clerk would you get ahold of Mr. Creehan at ALCOSAN and ask him to come in on that gas problem.

**Mr. Givens:**

Mr. President, two subjects -- one, when I was the Chairman of the Public Safety Department, I tried to develop at that particular time, some type of an arson squad within the City of Pittsburgh. To my amazement, in reading through the documentation on the large fire that we had out in the Beacon Warehouse, wherein the City of Pittsburgh paid some \$800,000 out, no one truly investigated that particular fire until after the fact, meaning the next morning. To have a true arson squad in a major city, I think number one, we should have one. I would then like for that particular Post Agenda for tomorrow to have the Chief of the Fire Department and also the Superintendent of Police to be here to discuss this matter because this is both a police — because of the criminal nature of it and the investigation, and also it ties into the fire people.

Secondly, I'm hearing rumors on the Mayor cutting back about six or seven fire companies in the City of Pittsburgh.

**The Chair:**

Six or seven?

**Mr. Givens:**

Cutting back, that's right. It is a rumor, and I want to either substantiate that rumor or find that it is a false rumor, and I think the only way I can do that is to have the Mayor or some



representative from his office come over here tomorrow and explain to me and all -- well, Charlie Lewis will be here also, and I think this thing might be coming in --

**The Chair:**

Dick, I don't recall if you were in Council at the time this was first brought up, when Chief Kennelly tried a drastic move within the Fire Department and Council shot him down. Caliguiri then was a member of Council and we had an agreement from Mayor Flaherty and the Fire Department that no major change of that proportion would take place ever again without Council's approval.

**Mr. Givens:**

That's right.

**The Chair:**

So, he is not going to be able to do it and I don't think he would want to do it, I can't understand --

**Mr. Givens:**

The Mayor can do anything, that was several years ago "Jeep" and I'm hearing these rumors and I feel the only way to publicly cleanse these rumors and to stop it from going on --

**The Chair:**

Well, its in the rumor stage, I think he knows enough that he can't barrel that thing through without our approval, its not going to happen.

**Mr. Givens:**

Well, no, I beg to differ with you Mr. President, we in this Council have said many times that we want a Police

Department of 1,525 some police office and the Mayor reluctantly has only has some 1,400.

**The Chair:**

Are you going to have Charlie Lewis in on that?

**Mr. Givens:**

I want to have Charlie Lewis and Coll will be here and I want him to address the subject too. I want to know -- do they have something in back of their minds for maybe the 1982 Budget and maybe they are starting to talk about it right now? If so, I want to nip it in the bud as quickly as possible.

**The Chair:**

I think you should nip it in the bud, right now.

**Mr. Givens:**

So, those are the two subjects and the individuals, will you get them all Bill?

And on motion of **Mr. O'Malley**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY FEBRUARY 23, 1981

No. 8

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, PA  
Monday, February 23, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Before we begin the meeting, the City Clerk has asked me to inquire if there is anybody here who would like to speak on this General Obligation Capital Note Resolution we have before us.

Bill No. 2445

Resolution entitled, "Resolution increasing the indebtedness of the City of Pittsburgh by the issuance and negotiated sale of its General Obligation Capital Notes in the denomination of \$\_\_\_\_\_ each in the aggregate principal amount of \$9,000,000, for the purposes of paying a portion of the cost of acquiring and constructing its Capital Improvement Program and certain other purposes; fixing the form, number, date(s), interest rate(s) and maturity(ies) thereof; levying a tax for payment of debt service charges; authorizing the issuance, execution, sale and delivery of the notes; pledging the payment of principal of, interest and premium, if any, on the notes; and authorizing the filing for approval of said debt with the Department of Community Affairs, and authorizing the payment of the required filing fee therefor; authorizing investments; authorizing the use of the official statement and acknowledging the accuracy of the official statement, if both such actions are recommended by the Controller and the Treasurer; covenanting that this resolution is a contract with the holders of the notes; covenanting that the notes will not become arbitrage bonds; ratifying and confirming prior actions and obligations; authorizing other necessary of convenient actions; establishing the effective date of this resolution; and repealing inconsistent resolutions and ordinances.

#### Mr. Stone:

I think we need the money and we talked about it on Wednesday and there

is, as I understand it, we may do better on the interest rate than is listed within the bill. I would move, if you want to take that separately.

**Michelle Madoff:**

What are we moving on?

**The Chair:**

That \$9 Million General Obligation Bond.

**Michelle Madoff:**

The one we talked about Wednesday, fine. No problem.

## **PRESENTATIONS**

**Mr. Flaherty presented**

No. 2627 Resolution providing for a contract or contracts or the use of existing contracts including the purchase of materials, supplies and equipment for Renovations of Various Public Buildings, payable from LB81-07 (4-25-15-0001-81) at a cost not to exceed \$50,000.00, the Department of Lands and Buildings.

Which was read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 2628 Resolution temporarily transferring the sum of \$100,000.00 from Unrestricted Cash, Department of Public Works to Unrestricted Cash, Department of Supplies.

Also,

No. 2629 Resolution providing for the issuance of a warrant in favor of General Tire Corporation in the amount of \$2,775.13 for the purchase of tires

furnished to the Department of Supplies without previous authority of law, chargeable to and payable from Code Account No. 1149, Tires, Department of Supplies.

Which was read, and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 2630 Resolution providing for the issuance of a warrant in favor of the U. S. Steel Corporation in the amount of \$18,169.36, in payment for Extra Work furnished for the benefit of the City in connection with the furnishing and installation of a chain link fence on the Murray Avenue Bridge and providing for the payment of the cost thereof.

Also,

No. 2631 Resolution providing for the issuance of a warrant in favor of Mosites Construction Company in the amount of Twenty Thousand Four Hundred Thirty One Dollars and Fourteen (\$20,431.14) Cents in payment for "Extra Work" furnished for the benefit of the City in connection with the Herron Avenue Bridge - Phase II; and providing for the payment thereof.

Also,

No. 2632 Resolution providing for the issuance of a warrant in favor of the Borough of Mt. Oliver in the amount of

\$1,879.20 as payment for the City of Pittsburgh's share in repair of a sanitary sewer.

Which were severally read and referred to the Committee on Finance.

Also,

No. 2633 Resolution providing for a contract or contracts or the use of existing contracts, for the rental of equipment and payment for Miscellaneous Services in connection with the City's Capital Construction Division at a cost not to exceed \$57,800.00, payable from Code Account 4-01-35-0001-80 (PW 80-36).

Which was read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 2634 An Ordinance amending and supplementing the Pittsburgh Code, Title Three-Water, Article VII, Assessment, Billing and Exonerations, Chapter 341, Assessment and Billing Procedure, Section 341.02(a), Metered Use, by directing the City Treasurer to adopt a procedure whereby all consumers are required to read their own meters by completing a form provided by the Treasurer to the consumer on a quarterly basis.

Also,

No. 2635 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission for Michael Hurt to attend EPA Training Course, Cincinnati, Ohio, April 27 - May 1, 1981, at a cost not to exceed \$800.00, payable from Code Account No. 1701, Miscellaneous Services, Department of Water.

Which were read and referred to the

Committee on Water.

**Mrs. Masloff presented**

No. 2636 Resolution providing for an Agreement or Agreements for architectural, engineering, or other professional services at Phipps Conservatory and providing for the payment of the cost thereof, at a cost not to exceed \$21,002.98, chargeable to and payable from Project Code 4-10-01-1280-80 (PR 80-02), cost not exceeding \$21,002.98 from Project Code 4-10-01-1280-80).

Also,

No. 2637 Resolution authorizing a Sixth Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for the updating of financial arrangements at a cost not to exceed \$99,240.29 in Project Code 78 CDULO and Project Code 75 CDPR.

Also,

No. 2638 Resolution providing for the letting of a contract or contracts or the use of existing contracts for the purchase or rental of equipment or services; or construction; or Agreements for same, in connection with performances at Point State Park by the Pittsburgh Symphony; and providing for the payment of the cost thereof, \$40,000.00 from Code Account 1837.

Also,

No. 2639 Resolution providing for the letting of a contract or contracts or the use of existing contracts for the purchase or rental of equipment or services; or construction; or Agreements for same, in connection with performances at Point State Park, by the Pittsburgh Symphony; and providing for

the payment of the cost thereof, \$80,000.00 from Project Code 4-10-01-1330-81, PR81-03.

Also,

No. 2640 Resolution providing for the letting of a contract or contracts for the construction of Paulson Swimming Pool; and providing for the payment of the cost thereof, \$212,000.00 from 4-10-05-1337-80, \$280,000.00 from 78-CDPR.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. Resolution transferring the sum of \$183,204.00 from Code Account No. 1443-2, Salary Transfer, City-County Identification System, to the City-County Integrated Identification System Project (C-CIISP) Trust Fund.

Which was read and referred to the Committee on Finance.

Also,

No. 2642 An Ordinance amending and supplementing the Pittsburgh Code, Title One - Administrative, Article I, General Provisions, Chapter 171, Fees, by adding and amending Section 171.02 (Ordinance No. 9, effective April 19, 1979) Fees, Emergency Medical Services.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 2643 Resolution authorizing an agreement or agreements or the use of existing Agreements for professional services to be provided to the Uptown Little League and transferring the sum of Six Thousand (\$6,000.00) Dollars from

Code Account 42, City Council to Code Account No. 1838, Department of Parks and Recreation.

Which was read, and referred to the Committee on Parks and Recreation.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 2644 Resolution providing for the issuance of a warrant to the Economic Development Administration in the amount of \$9,742 for the return of unspent Grant Funds in connection with the Comprehensive Economic Development Planning Program and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 2645 Resolution providing for the filing of an application by the City with the Department of Transportation for a Grant in connection with the Comprehensive Transportation System Management Assistance Program; creating a Special Trust Fund in connection with the Grant; providing for the authorization to enter into an agreement/s to receive the grant funds and to implement grant projects.

Also,

No. 2646 Resolution amending Resolution No. 44 of 1976, as previously

amended by Resolution Nos. 290, 446, 820 of 1976; and by Resolution Nos. 319, 461 of 1977, and by Resolution No. 241 of 1978; and by Resolution No. 1202 of 1980, so as to decrease several Model Neighborhood Program line items and reallocate monies to the Unspecified Local Options line item.

Also,

No. 2647 Resolution amending Resolution No. 319 effective May 27, 1976, entitled, "Providing for an Agreement or Agreements with the Hill House Association for the operation of the New Opportunities for the Aging Project", so as to decrease the amount appropriated from \$100,000.00 to an amount not to exceed \$96,604.18.

Also,

No. 2648 Resolution amending Ordinance No. 372, approved July 21, 1975, as previously amended by Ordinance No. 458, approved August 20, 1975, Resolution No. 714, effective October 1, 1976, and by Resolution No. 1311, effective December 31, 1977, so as to further decrease the amount authorized from \$526,048.60 to \$524,230.35.

Also,

No. 2649 Resolution amending Resolution No. 574, approved July 27, 1976, entitled, "Providing for agreements or use of existing agreements, for personal or professional services and/or contracts for implementing the 1976 Community Development funding for Model Neighborhood Program (CDMNP), Recreational/Cultural Programs", so as to decrease the amount allocated from \$70,000.00, to a sum not to exceed \$69,989.74.

Also,

No. 2650 Resolution amending Resolution No. 320 of 1976, as previously amended by Resolution No. 318, effective April 28, 1977, entitled, "Providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Mini-Bus and Reduced Fare Project" so as to decrease the amount appropriated from \$340,000.00 to an amount not to exceed \$339,967.52.

Also,

No. 2651 Resolution amending Resolution no. 318, effective May 27, 1976, entitled, "Providing for an Agreement or Agreements with Montefiore Hospital of Western Pennsylvania for the operation of the Comprehensive Dental Project" so as to decrease the amount allocated from \$240,000.00 to an amount not to exceed \$224,470.00.

Also,

No. 2652 Resolution amending Resolution Nos. 662, 765 and 904 of 1976 entitled, "Providing for a contract or contracts for the purchase of materials, supplies, and equipment in connection with the Homewood Branch and Lawrenceville Branch, Carnegie Libraries", so as to repeal Section 1 of Resolution No. 662, and further to decrease the amount allocated to the Homewood Branch from \$9,000.00 to \$8,966.00. Project No. 4-40-05-1028-76-907-76-25.

Also,

No. 2653 Resolution approving the North Shore Proposal dated February, 1981, including Modification No. 2 to the North Shore Redevelopment Area Plan - Urban Renewal Plan.

Also,

No. 2654 Resolution authorizing an amendatory Cooperation Agreement for the North Shore Redevelopment Project providing for the Redevelopment Project providing for street improvements, vacation of streets, zoning changes, public improvements, conveyance of City interest in taxing body property, and for certain changes in the financing the property.

Also,

No. 2655 Resolution authorizing the Urban Redevelopment Authority to submit an Application for Financial Assistance to the Pennsylvania Department of Community Affairs for the North Shore Project.

Also,

No. 2656 Resolution approving the proposal, dated February, 1981 for redevelopment activities in Redevelopment Area No. 40 in the Fifteenth Ward; approving Modification No. 1 to the Greater Hazelwood Redevelopment Area Plan.

Also,

No. 2657 Resolution approving the sale of property in the Second Ward of the City of Pittsburgh by and between URA and Carlton House Corporation.

Also,

No. 2658 Resolution approving the sale of Parcels 71, 72, 73, 115B and 115C (1329 Lake, 1326-1324 Juniata, 1239-1243 N. Franklin) in the 21st Ward of the City of Pittsburgh by and between the URA and Edith M. Simonds for \$5,745.00, Redevelopment Area No. 27.

Also,

No. 2659 Resolution approving the

sale of Block 8H, Lots 156, 155, and 148, (212-214 & 226 E. General Robinson Street) in the Twenty-Second Ward of the City of Pittsburgh by and between URA and George L. Wilson & Co., for \$6.00 per square foot -- Redevelopment Area No. 39.

Also,

No. 2660 Resolution approving the sale of Block 125D, Lot 64 in the 12th Ward of the City of Pittsburgh by and between URA and Robert E. Sizemore for \$100.00, Great House Sale

Which were severally read and referred to the Committee on Planning, Housing & Development.

#### **Mr. Stone presented**

No. 2661 Resolution providing for the issuance of a warrant to Virginia Murnane in the amount of \$23,500.00 in full settlement of claim for personal injury and providing for the payment thereof.

Also,

No. 2662 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for herself, Philip Schugar and Josephine Kenney, to attend meeting with U.S. Department of Labor Grant Office to discuss audit findings, Philadelphia, PA, February 23, 1981, at a cost not to exceed \$620.00, payable from CETA Trust Fund, Federal Funds.

Which were read and referred to the Committee on Finance.

#### **The Chair presented**

No. 2663 Resolution extending the term of existence of the Public Auditorium Authority of Pittsburgh and



Allegheny County.

Also,

No. 2664 Communication from Richard S. Caliguiri, Mayor, submitting an updated Table of Organization which reflects the 1981 budget.

Which were read and referred to the Committee on Finance.

Also,

No. 2665 Communication from Ronald C. Schmeiser, City Treasurer, designating George W. Jacoby to serve as Deputy City Treasurer and Collector of Delinquent Taxes and Deputy Treasurer for the School District of Pittsburgh during the absence of City Treasurer Ronald C. Schmeiser pursuant to Section 223.07 of the Pittsburgh City Code, from February 23 to February 25, 1981.

Which was read, received and filed.

Also,

No. 2666 Bond from the American Insurance Company in the amount of Two Hundred Thousand (\$200,000.00) Dollars on behalf of George W. Jacoby, Deputy City Treasurer.

Which was read, and approved.

## UNFINISHED BUSINESS

### Michelle Madoff:

Mr. President, under Unfinished Business, an Ordinance was introduced today with reference to meter reading. The language was prepared I believe, by our Treasurer. We went down and asked him what he wanted to have in it, and this would give Councilmembers from now until a week from Wednesday if they

want to amend, change, any -- I don't feel that I have any proprietary interest in the bill, if anybody can improve on it I welcome it. Mr. Stone, if you have any thoughts I'd appreciate any amendments that you would have.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 2667

Report of the Committee on Finance for February 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2445

Resolution entitled, "Resolution increasing the indebtedness of the City of Pittsburgh by the issuance and negotiated sale of its General Obligation Capital Notes in the denomination of \$\_\_\_\_\_ each in the aggregate principal amount of \$9,000,000, for the purposes of paying a portion of the cost of acquiring and constructing its Capital Improvement Program and certain other purposes; fixing the form, number, date(s), interest rate(s) and maturity(ies) thereof; levying a tax for payment of debt service charges; authorizing the issuance, execution, sale and delivery of the notes; pledging the payment of principal of, interest and premium, if any, on the notes; and authorizing the filing for approval of said debt with the Department of Community Affairs, and authorizing the payment of the required filing fee therefor; authorizing investments; authorizing the use of the official statement and acknowledging the accuracy of the official statement, if

both such actions are recommended by the Controller and the Treasurer; covenanting that this resolution is a contract with the holders of the notes; covenanting that the notes will not become arbitrage bonds; ratifying and confirming prior actions and obligations; authorizing other necessary of convenient actions; establishing the effective date of this resolution; and repealing inconsistent resolutions and ordinances.

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Givens:**

Mr. President, on Bill No. 2445, we have a gentleman from our Treasury Department, just to explain a little bit to us, they came in Wednesday and they had a very short dissertation and the interest rates were I think 9-3/4% and that is what I would like to ascertain right now. If they could come forward or talk into the microphone back there.

I'm interested in some of the cost that is going to be for the City, what are the exact interest rates that we are going to get on this particular bill? Do we know that?

**Mr. Jacoby:**

That we are going to pay?

**Mr. Stone:**

Dick, it is not final, but it is hopefully under 10%

**Mr. Givens:**

That is my question.

**Mr. Jacoby:**

We are committing to a maximum of 10.5%, as Councilman Stone said, we are hoping to do better. It will definitely not be over 10.5%, it will definitely not be over 10.5% and I think we will do much better.

**Mr. Givens:**

Okay, I heard Wednesday that you had good indications back somewhere around 9.75%, was that true, or was I — because that stopped my questioning Wednesday.

**Mr. Jacoby:**

Well, 9.75% was the actual rate, we are talking right now about something called a Net Interest Cost, when you take the rate and the one time interest payment and combine them, we will be talking about a maximum of 10.5%. Basically the total cost of the issue amortized over the three year period amounts to the 10.5%.

**Mr. Givens:**

Okay, for this \$9 Million note then and it is for what, three and one half years? Three years?

**Mr. Jacoby:**

3.3 years.

**Mr. Givens:**

3.3 years, what will be the total cost then to the City for borrowing this money? Approximately?

**Mr. Jacoby:**

Approximately \$3 Million.

**Mr. Givens:**

Approximately \$3 Million, okay.

I would just like to, I guess, my concerns, Mr. President, along this particular line, and I know we need this money because if you look at the contracts that are going to be let for this particular money borrowing, although that list has changed at least twice, that I am familiar with it, the type of bridge construction, mainly due to safety and other reasons of the main parts of this particular bill, but the fact is that the City of Pittsburgh has always been somewhat delayed in carrying out our Capital Improvement Budgets, and sometimes because of engineering or otherwise, but I almost have to refer back to the statement that our Chief Engineer and Program Controller made, Eddie Albert, back in 1978, November of 1978, to this committee, wherein he listed the total indebtedness, the debt service that the City of Pittsburgh is paying out and its interest in 1974, that it was some \$9 Million and then in 1975, through about '78 it jumped between \$11 and \$14 Million, in '79 it jumped up to \$22 Million and if you look at '80 and '81 figures, there is something to be said right here and what Eddie was trying to tell all of us is that if we can't get the projects done, as we have so indicated, within a certain period of time, then why go out and borrow this money? We borrowing at 10%, we know that we can put that money into the bank and probably get with the going rate, whatever that might be today and within the future, and if we delay some of these projects we will cancel out that three some million dollars of interest that we are going to pay on these particular projects. But you know, one has to stop and wonder when the ball is going to stop rolling and rather than doing this in the general fund, some of this work through the general fund, paying the people through the general fund. What you do today and the people see today, they will

pay for today, not that they have to pay for it in yesteryear because you are talking about at 20 year bond. That means the of people tomorrow are going to be paying for today's expenses. I just bring it out as a matter of note, that when we pass this one we passed a \$30 some Million note and all of these are going to have to be rolled around and hopefully turned into bonds, twenty year bonds that must mature later on. If one would look at the total picture, you will see that Renaissance I was up here and we are paying for all that Renaissance I and now the Renaissance I debt is finally being liquidated and we are coming into Renaissance II, meaning that about every 20 to 25 years the Mayor has the opportunity, if you want to call it that, to go into a renaissance where you put a great total indebtedness into the City, but not that the people know what is coming down the road and what is happening right now, what we are doing today, people are going to be paying for it 10, 15, 20 years from now.

#### **The Chair:**

Mr. Givens, you make a good point, I think the problem is, and I could be wrong, I am certainly not an expert at this, it is just that by the time we approve of the funds, and by the time the projects get underway, as you said yourself, sometimes there is a year, or two year delay. Obviously, the costs escalate. Inflation or what have you and therefore, it is a lot more money than we allocated and obviously they have to finish the projects and they have to get the money somewhere. I don't know where else they can get it unless they borrow it. Hopefully that wouldn't have to happen but I don't see how you can stop it unless those projects are starting the very next day and that is not going to happen and you know why, there are various reasons.

**Mr. Givens:**

Well, many of these projects are bridges and we know that we are in a crisis situation within both the City and Allegheny County across the country with the bridge crisis, but, that is impacting on this Council and --

**The Chair:**

Sure, you have a bridge crisis and the next day you say, "Repair that bridge or tear that bridge down", and then its a year or two years before we can get it approved by the Federal Government and what have you to move on it? I mean we know the need and we would like to do it tomorrow but it just doesn't happen that way. With all that red tape it is going to always be that way.

**Mr. Givens:**

My deepest concern is the financial staff -- I mean, you know, it is just like your home budget or any company budget or any corporate budget. You can only borrow so much money, when you hit that maximum, and what I am saying here is that we are getting very damn close to that maximum and we had better pay very close attention to what we are doing and all these bond issues because we can say yes, they are going to a worthy cause, and we will find that the City of Pittsburgh one of these days is going to be so outstretched in their financial indebtedness that we won't be able to borrow any money for any crisis that might come up in the future.

**The Chair:**

Well, our Finance Chairman examined it and maybe he can add something here. Mr. Stone.

**Mr. Stone:**

Mr. President, if I may, a few years back to the point that we were late on our projects and then late in receiving monies and therefore all the delay was accurate then, but in that last situation, one year ago, we had more money committed than we had money and that is the reason for the recent commitments and if everyone recalls, when we passed the \$36 Million bond issue, I had indicated that under the circumstances, faced with the present circumstances, we had no other way to go. At the present time, we have not over-borrowed at this point because we haven't even borrowed money for 1981 projects. There is no question when interest is going up that relative to this kind of mechanism it is something you need to understand even a little more, it takes a little more technical assistance and that is why Mr. Schmeiser brought in Mr. Katz from Philadelphia to help with this. He did a great deal of work on the \$36 Million bond issue that we had. We are attempting however, to reduce that burden, we are attempting to build now when it is cheaper to build, than to face as it is right now, everybody is telling us that the interest is not going to drop but the escalation cost is going to increase, so you are going to have to build today and when you net out that cost to the City of Pittsburgh there is really no other way today. A few years back, yes, and nobody was more vocal on that point than was I as Finance Chairman, but I think it is slightly changed, it is a different market today.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES ■ NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Stone:**

In accordance with Section 322 of the Home Rule Charter, Publication Effective Date of Legislation, I move that the effective date on Bill No. 2445 shall be the date on which it is signed by the Mayor.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2549

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Jim McKain, Car and Truck Leasing, in the amount of One Thousand Two Hundred (\$1,200.00) Dollars as payment for the rental of a van."

Which was read.

Also,

Bill No. 2559

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sciulli Brothers Inc., 3718 Dawson Street, Pittsburgh, PA 15213, in the amount of \$2,900.00 in payment for cutting and capping an existing fire

hydrant branch and removal of an existing brick box casting furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2560

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Highway Equipment Company, P.O. Box 15038, Pittsburgh, PA 15237, in the amount of \$8,628.52 in payment for repair of a Back-Hoe Loader furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2563

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Incorporated, in the amount of \$4,191.02 in payment for work performed at the Schenley Park Skating Rink, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2567

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Harry J. Blair, 207 Clark Building, Pittsburgh, Pennsylvania 15222, in the amount of \$576.00 in payment for numbering and repairing Police badges furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2575

Resolution entitled, "Resolution providing for the issuance of a \$772.20 warrant in favor of Erie Insurance Company and Nancy Zinkand in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2576

Resolution entitled, "Resolution providing for the issuance of a warrant to William H. Thomas, Jr. and Charlotte Thomas, his wife, c/o Barbara Clements, Esquire, 443 Boulevard of the Allies, Pittsburgh, Pennsylvania, 15219, in the amount of \$1,861.20 as the City's share of the settlement of claim for property demolition, and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2578

A Resolution entitled, "Resolution authorizing the transfer of Three Hundred Thousand Dollars (\$300,000.00) from the CETA Trust Fund to the 1981 General Fund of the City of Pittsburgh for Reimbursement of Indirect Costs, Comprehensive Employment and Training Program, CETA."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2595

Resolution entitled, "Resolution

transferring \$28,500.00 from Code Account No. 30, Refunds, All Other Taxes, to Citizens-Police Partnership Against Crime Trust Fund."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Stone:**

Mr. President, on Bill No. 2595, I move to amend that bill by adding a Section 2 to read:

Section 2. Said funds are to be used as an advance in connection with the Citizens Police Partnership Against Crime Program reimbursable by the Commonwealth of Pennsylvania and shall be returned to Code Account 30, Refunds, All Other Taxes, when received.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

**AYES 5**                      **NOES none**

And a majority of the votes of Council being in the affirmative, the bill

passed finally, as amended.

**Mr. Givens presented**

Bill No. 2668

Report of the Committee on Public Works for February 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2550

Resolution entitled, "Resolution authorizing the City Treasurer, on behalf of the City of Pittsburgh, to accept funds from the Port Authority of Allegheny County, the Urban Redevelopment Authority and the Pennsylvania Department of Transportation, for Consulting Services in conjunction with Transportation Coordination for the Central Business District; providing for the creation of a Trust Fund for receipt and payment of the respective shares; and providing for an Agreement or Agreements with the above mentioned parties in connection with the Transportation Coordination for the Central Business District."

Which was read.

**Mr. Givens:**

Motion to amend Bill No. 2550 by adding at the end of Section 3, "Payable from Code Account PW80-56, 4-01-30-0830-80".

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 2551

Resolution entitled, "Resolution amending and Supplementing Section 2 and Section 3 of Ordinance No. 335, approved October 3, 1922, entitled, 'An Ordinance regulating the use and operation of vehicles on the streets of the City of Pittsburgh.'"

Which was read.

Also,

Bill No. 2552

Resolution entitled, "Resolution amending Resolution No. 1139, approved December 14, 1979, effective December 21, 1979, entitled, 'Providing for a Contract or Contracts for the reconstruction of the Frantum Street Bridge over Saw Mill Run Creek, private property, and other work incidental thereto; and providing for the payment of the cost thereof,' by increasing the

project allocation from One Hundred Eighty Thousand (\$180,000.00) Dollars to Three Hundred Thirty Two Thousand Six Hundred Fifty (\$332,650.00) Dollars."

Which was read.

Also,

Bill No. 2553

Resolution entitled, "Resolution amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, entitled 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program', by adding new project line items and adjusting the summary totals."

Which was read.

Also,

Bill No. 2554

Resolution entitled, "Resolution providing for a Contract or Contracts, or the utilization of existing Contracts, authorizing the resurfacing of various City streets and Park roads with bituminous materials, including asphalt milling, planing, regrading, recuring and other work incidental thereto; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2555

Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for Miscellaneous Electrical Services; and providing for the payment of the cost thereof."



Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 2669

Report of the Committee on Planning, Housing and Development for February 18, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2570

Resolution entitled, "Resolution amending Resolution No. 38, approved January 16, 1981, entitled, 'A Resolution amending Resolution 527, approved June 2, 1980, entitled, 'A Resolution amending Resolution 370, approved April 25, 1980, entitled, 'A Resolution amending

Resolution 1005, approved November 7, 1979, entitled, 'A Resolution providing for an Agreement or Agreements with Greater Pittsburgh Business Development Corporation for services in connection with the Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000.', by increasing the amount of the agreement and providing for the cost thereof', by increasing the amount of the agreement and providing for the cost thereof', by decreasing the amount of the agreement and providing for the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

Bill No. 2670

Report of the Committee on Water for February 18, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2561

Resolution entitled, "Resolution further amending Exhibit 1 and Section 3 of Resolution No. 675, approved 8/16/76, as amended by Resolution No. 747, approved 8/16/77, as amended by Resolution No. 1020, effective 10/17/77, as amended by Resolution No. 4, effective 1/31/78, as amended by Resolution No. 725, effective 6/30/78, as amended by Resolution No. 827, effective 8/3/78, as amended by Resolution No. 1333, effective 11/30/78, as amended by Resolution No. 21, effective 1/19/79, as amended by Resolution No. 273, effective 4/3/79, entitled: 'A Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Commerce for a grant in connection with the Local Public Works Employment Act of 1976; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Local Public Works Employment Act of 1976; providing for the required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of funds in a bank account,' by increasing Department of Water allocation by \$120,000.00 in Section 3, and amending Exhibit 1."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 2671

Report of the Committee on Parks and Recreation for February 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2562

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Architects of the new Paulson Pool for Professional Services in connection with the design and installation of works of art at this location; and providing for the cost thereof."

Which was read.

Also,

Bill No. 2564

Resolution entitled, "Resolution providing for the lease of certain property at 525 Mt. Pleasant Road (rear), 26th Ward, from the Housing Authority of the City of Pittsburgh for a term of twenty-five (25) years, for recreation purposes, upon certain terms and conditions."

Which was read.

Also,

Bill No. 2565

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for Engineering Services within the Department of Parks and Recreation; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 2672

Report of the Committee on Public Safety for February 18, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2596

Resolution entitled, "Resolution amending Resolution No. 660 of 1980 which authorized an agreement or agreements with the Neighborhood Centers Association for the Citizens-Police Partnership Against Crime Program, also called North Side A.C.T. (Against Crime Together), by increasing the cost from \$28,716.00 to \$29,709.00."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

Bill No. 2673

Report of the Committee on Lands and Buildings for February 18, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2546

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 2547

Resolution amending Item (E) of Resolution 1426, approved December 31, 1980, authorizing the sale of a vacant lot on N. Fairmont Street in the 11th Ward, designated as B. & L. 83-E-32, to Warren D. Sipp, for the sum of \$1,500.00. Amendment is to correct name of the former owner.

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

Mr. President, I just want to alert Council to a letter that I received today dated February 20th. It is from a Millvale Borough engineer. Millvale is seeking to purchase bulk water from the City of Pittsburgh and they are offering to pay us 50¢ per thousand gallons. Our lowest rate presently is 76¢ per thousand gallons, I wanted that increased not decreased. You know our West Penn Water situation is that we underwrite to the tune of \$2 Million now because a third of our residents are getting that water. I would like to increase it since they are going to be — I'm not sure where Millvale gets its water, I'll have to check it out, but I'm not mistaken, West Penn Water gets it from the "Mon" which needs regenerating and cleaning far more than the Allegheny water does and the Safe Drinking Water Act does mandate that we will ultimately go to a — and probably very soon — to granulated activated carbon.

Now, I think 50¢ is too low, I don't know what the procedure is going to be as to whether the Director will present Council with his views and I would present Council with my views or whether we are going to require a public hearing, but the Borough of Millvale says that we would clear, after the expenses

for chemicals, etcetera, a cool \$50,000. Well, when we have a 60" main that runs through the Borough and we have to connect and maintain our own City lines, and our lines are not in the best of shape -- I don't know whether that really is an accurate reflection of profit. I think the rate is too low and if anybody else has any other feeling on it before I got to Council and if they have dealt with it I would welcome any input, but I am going to recommend to our Director that we not lower the rate.

**Mrs. Masloff** moved to approve the minutes of Monday, February 9, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mrs. Masloff**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MARCH 2, 1981

No. 9

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAE... Ass't City Clerk

Pittsburgh, PA  
Monday, March 2, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 2674 Resolution amending Resolution No. 463, effective May 25, 1979, entitled, "Providing for a contract/s for modernization of Elevator

'H', City-County Building - Capital Project LB 78-10, Public Buildings, Access by Handicapped and providing for the payment of the cost thereof", by reducing total contract cost to an amount not to exceed \$77,780.00.

Also,

No. 2675 Resolution further amending Resolution No. 586 of 1976, as amended by Resolution 821 of 1976, as amended by Resolution 311 of April 11, 1979, in connection with the Rehabilitation of Fire Stations, by reducing total cost not to exceed \$282,682.33.

Also,

No. 2676 Resolution authorizing the sale of property in the 7th Ward, formerly 20th Ward, of the City of Pittsburgh designated as Block 84-G, Lot 142, to the Port Authority of Allegheny County for the sum of \$26,400.00.

Also,

No. 2677 Resolution providing for the filing of a petition/s for the sale of certain property of properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended.

Also,

No. 2678 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 2679 Resolution providing for the filing of a petition or petitions for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 2680 Resolution repealing Resolution No. 82, approved 2/9/79 for the sale of 2 sty. fra. hse. rr. 68 Briggs St., 32nd Ward, designated as B. & L. 96-S-14 to Michael & Mildred Savich (assigned to Joan Mitchell) for the sum of \$2,000.00. Resolution is to repeal sale and forfeit hand money.

Also,

No. 2681 Resolution amending Item (B) of Resolution No. 92, approved 2/9/81, for the sale of vacant land on Colmar Street, 5th Ward designated as B. & L. 26-F-351 to 356 inclusive; 26-G-20-21, to Hermon J. & Frances E. Hill, his wife, for the sum of \$2,000.00. Amendment is to correct the name of former owner.

Also,

No. 2682 Resolution amending Item (D) of Resolution No. 92, approved 2-9-81, for the sale of vacant land in the 5th Ward, Vera, Brackenridge Streets & Whitney Terrace, B. & L. 10-M-272-274-281-301; 10-M-27-36-37, to Larry M. Johnson for the sum of \$800.00. Amendment is to correct spelling of former owner's name.

Also,

No. 2683 Resolution amending Item (D) of Resolution No. 133, approved 2-17-81 for the sale of 4 lots on Daniel Street in the 16th Ward designated as B. & L. 13-S-149, to Michael R. & Janice C. Galloway for the sum of \$2,000.00. Amendment is to correct block number.

Also,

No. 2684 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings requesting interim approval of payment of \$3,000.00 to Ellis Real Estate Company for appraisal of air rights over Cherry Way, First Ward, to be payable from LB 78-08, Renovations, Various Public Buildings, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

No. 2685 Resolution providing for the issuance of a warrant in favor of Swank Construction Company in the amount of Sixty Nine Thousand Eight Hundred Fifty Dollars and Fifty-one Cents in payment for additional work furnished for the benefit of the City in connection with asphalt milling on various streets throughout the City of Pittsburgh and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 2686 Resolution providing for an Agreement or Agreements with the City of Pittsburgh Equipment Leasing



Authority for the transfer of title to City-owned vehicles to the Authority.

Which was read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 2687 Resolution providing for the issuance of a warrant in favor of Trumbull Corporation in the amount of Twenty-Four Thousand Seven Hundred Thirty Two Dollars and Eleven Cents (\$24,732.11) in payment for "Extra Work" furnished for the benefit of the City in connection with the "B" Program-Rehabilitation of various streets, park roads, etc., and providing for the payment thereof.

Also,

No. 2688 Resolution providing for the issuance of a warrant in favor of North American Fencing Corporation in the amount of \$25,330.00 in payment for furnishing and installation of a chain link protective fence furnished for the benefit of the City in connection with the Schenley Park & Panther Hollow Bridges; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 2689 Resolution granting unto

the Charles J. Greve & Company, 71 Liberty Avenue, Pittsburgh, PA 15222, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, an electrical vault in a portion of the sidewalk of Penn Avenue in the First Ward of the City of Pittsburgh.

Also,

No. 2690 Resolution vacating portion of Berger Street from Arnold Street to its northeasterly terminus in the 28th Ward of the City of Pittsburgh.

Also,

No. 2691 Resolution amending Resolution No. 523, approved 6/12/80 effective 6/18/80 entitled, "Providing for an Agreement or Agreements with a Technical Services Consultant, for Engineering Services in connection with an Electrical Services Contract and providing for the payment of the cost thereof," by increasing the total allocation by Five Thousand (\$5,000.00) Dollars.

Also,

No. 2692 Resolution providing for an Agreement/s with a Consultant/s for Engineering Services in conjunction with modifications to DPW floor plan; and providing for the payment of the cost thereof.

Also,

No. 2693 Resolution providing for an Agreement/s with a Consultant/s for Engineering Services in conjunction with the design for the recycling of bituminous materials and other related items.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 2694 Resolution providing for the issuance of a warrant in favor of E. H. Wachs Company, 100 Shepard Street, Wheeling, Ill. 60090, in the amount of \$2,675.09, chargeable to and payable from Code Account 1701, Miscellaneous Services, for the payment of the conversion of a TM-1 Gate Turner to a TM-3 Gate Turner.

Which was read and referred to the Committee on Finance.

Also,

No. 2695 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission for Ronald Duray to attend Instruments for Telemetering course, Waterbury, Conn., March 30 - April 3, 1981, at a cost not to exceed \$1,000.00, payable from Code Account No. 1701, Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 2696 Resolution providing for an agreement or agreements with the University of Pittsburgh through the Department of Theatre and Speech for the furnishing of cultural performance to the residents of the City of Pittsburgh during the year 1981, and providing for the payment of the costs which is not to exceed \$18,000.00 and is chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Also,

No. 2697 Resolution providing for an Agreement/s or the use of existing

agreements for Architectural, Engineering or other professional services in connection with the design of the Pittsburgh Zoo and providing for the payment of the cost thereof not to exceed \$360,000.00 (\$288,050.00 from 4-10-01-1230-77; \$71,950.00 from 4-10-01-1230-81).

Also,

No. 2698 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Zoo Director Hayes to attend Northeastern Regional Conference of Zoos, Hershey, PA, March 22-24, 1981, at a cost not to exceed \$320.00, payable from Code Account No. 1852, Miscellaneous Services, Zoological Park Commission.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 2699 Communication from Robert J. Coll, Jr., Superintendent, Department of Police requesting permission for two police officers to attend Defensive Tactics Course, Northern Virginia Criminal Justice Academy, Fairfax, VA, March 23-27, 1981, at a cost not to exceed \$1,202.00, payable from Code Account No. 1454, Education and Traveling Expenses, Department of Police.

Also,

No. 2700 Communication from Robert J. Coll, Jr., Superintendent, Department of Police, requesting permission for two police detectives to attend Electronic Surveillance course conducted at Pennsylvania State Police Academy, Hershey, PA, March 3-6, 1981, at a cost not to exceed \$550.00, payable

from Code Account No. 1454, Education and Traveling Expense, Department of Police.

**Mr. Robinson presented**

No. 2701 Resolution providing for the issuance of a Certificate of Appropriateness for work on exterior of 1214-16 Buena Vista Street Block and Lot 23-J-313 and 314. Mexican War Streets Historic District, 22nd Ward.

Also,

No. 2702 Resolution providing for a Contract/s for the Reconstruction of Streets and Lighting for various areas of Pittsburgh's North Side in connection with the UDAG Program; and providing for the payment of the cost thereof.

Also,

No. 2703 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Superintendent Paul Imhoff, Bureau of Building Inspection, to attend Director's Meeting of the Association of Major City Building Officials, New York City, March 5-7, 1981, at a cost not to exceed \$450.00, payable from Code Account No. 1376, Travel and Educational Expenses, Bureau of Building Inspection, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 2704 Resolution providing for the issuance of a \$2,972.54 warrant in favor of Raymond K. Jones in full settlement of claim for automobile damage by a Bureau of Refuse truck, charging same to Code Account No. 46, Judgments.

Also,

No. 2705 Resolution providing for the issuance of a \$1,432.00 warrant in favor of Johnny McLeod for property damage due to a water main break, charging same to Code Account No. 46, Judgments.

Which were read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

### The Chair:

I am going to do things a little bit out of order today, I am going to bring one bill to the table, that is the one in Planning, Housing and Development, Mr. Robinson's committee, it is a very important bill and there is quite a bit of divided interest in that bill in that area.

Mr. Perry would you read Bill No. 2532 for us and then we will go back to the regular order of business beginning with the Committee on Finance.

### Bill No. 2532

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing from 'C3' Commercial and 'RP' Planned Residential Unit Development Districts to 'CP' Commercial Planned Unit Development District all that certain property bounded by: Stanton Avenue; North Aiken Avenue; the northeasterly and northwesterly property boundary of Block 83A, Lot No. 6 in the Allegheny County Block and Lot System; Mossfield Street; Azure Street; Schenley Manor Drive; the easterly and southerly boundary of the 'R1' One-Family Residential District located between

Rosecrest Drive and Stanton Avenue,  
10th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

Mr. President, I would like to know whether or not the City Clerk has received any response to the letters that I requested to have sent out for additional information on Bill No. 2532.

**Mr. Perry:**

No, I haven't.

**Mr. Robinson:**

Okay, in that regard, Mr. President, and in fairness to all persons involved, I think we need to have that additional information before taking some final action. It is my understanding that Mr. Lurcott will be able to give us some information later on today in response to Mr. Perry's inquiry. Therefore, I would like to make a motion to recommit this bill to committee so we can discuss it this coming Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**The Chair:**

For the benefit of those here this afternoon who are interested in that bill, I believe you understand what Mr. Robinson did. Thank you.

**Mr. Flaherty:**

I have a request Mr. President.

**The Chair:**

There will be no discussion on that bill today Mr. Flaherty.

**Mr. Flaherty:**

I was just going to move that Frank Zappalla also appear at Wednesday's committee meeting.

**The Chair:**

That's alright, but don't we have a meeting scheduled with him anyway Bill?

**Mr. Robinson:**

Mr. President, the City Clerk forwarded a letter to Mr. Lurcott requesting that he make arrangements with the developer. To my knowledge Mr. Perry has not received any response to that communication.

**Michelle Madoff:**

Will the UDAG people be there? The people who represent UDAG? Obviously, they will cover.

**Mr. Stone presented**

Bill No. 2706

Report of the Committee on Finance for February 25, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2577

Resolution entitled, "Resolution authorizing and directing the City Controller to transfer from time to time, amounts not to exceed the aggregate

sum of Ten Thousand Dollars (\$10,000.00) from Code Account No. 1099-2 to CETA T.2 Trust Fund and CETA T.6 Trust Fund to pay for wages and fringe benefits paid to CETA participants over the authorized federal salary of \$11,150.00 per annum." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 2591

Resolution entitled, "Resolution transferring the balance of \$30,946.93 from the Central North Side Ballfield Development Project Trust Fund (CNSBDPTF) to the Unrestricted Cash Balance in the Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2597

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of GAF Corporation in the amount of \$631.67 for the repair of the ozalid machine in the Pittsburgh City Planning Department without previous authority of law."

Which was read.

Also,

Bill No. 2615

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Computerworld for the cost of advertising without previous authority of law. Interim approval granted as per Council Bill No. 2542, dated February 11, 1981."

Which was read.

Also,

Bill No. 2616

Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to replace warrant which was lost, stolen or inadvertently destroyed."

Which was read.

Also,

Bill No. 2617

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Ruth Y. Law in the aggregate amount of \$844.00 for professional court reporting services rendered for the benefit of the City in connection with the case of David Forthuber and Karen

Duncan vs City of Pittsburgh."

Which was read.

Also,

Bill No. 2618

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Civic Center Cleaning Company, Inc., in the amount of \$321.02 in payment for janitorial services provided at the KMK Building Offices of CETA Youth Division, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2628

Resolution entitled, "Resolution temporarily transferring the sum of

\$100,000.00 from Unrestricted Cash, Department of Public Works, to Unrestricted Cash, Department of Supplies."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2629

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Tire Corporation in the amount of \$2,775.13 for the emergency purchase of tires furnished to the Department of Supplies without previous authority of law."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken  
agrecably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And there being two-thirds of the  
votes of Council in the affirmative, the  
bill passed finally.

**Mr. Robinson presented**

Bill No. 2707

Report of the Committee on Planning,  
Housing & Development for February 25,  
1981 transmitting two ordinances and  
sundry resolutions to Council.

Which was read, received and filed.

Also,                      with                      an                      affirmative  
recommendation,

Bill No. 2347

An Ordinance entitled, "An Ordinance  
amending the Pittsburgh Code, Title  
Nine, Zoning, Article III, Chapter 921,  
Section 921.02, Zoning District Map No.  
12 by changing from 'R1' One-Family  
Residence District to 'RP' Planned  
Residential Unit Development District  
all that certain property bounded by:  
Northumberland Street; Gladstone  
(southern division private) Road; Block  
53-C, Lot Numbered 56 in the Allegheny  
County Block and Lot System; Block 53-  
D, Lots Numbered 280 and 251 in the  
aforesaid System; Forbes Avenue and  
Block 53-H, Lots Numbered 160 and 205  
in the aforesaid System, 14th Ward."

Which was read.

Also,

Bill No. 2598

Resolution entitled, "Resolution  
providing for a Cooperation Agreement  
or Agreements with the Urban  
Redevelopment Authority of Pittsburgh  
in connection with the administration of  
the Station Square Urban Development  
Action Grant; and providing for the  
payment of the cost thereof."

Which was read.

Also,

Bill No. 2599

Resolution entitled, "Resolution  
providing for a Cooperation Agreement  
or Agreements with the Urban  
Redevelopment Authority of Pittsburgh  
in connection with the administration of  
the Gateway Clipper at Station Square  
Urban Development Action Grant  
Project; and providing for the payment  
of the cost thereof."

Which was read.

Also,

Bill No. 2600

Resolution entitled, "Resolution  
amending Resolution No. 1176, approved  
December 27, 1979, effective December  
31, 1979, entitled, 'Resolution approving  
application for preliminary loan for low-  
rent public housing', by increasing the  
amount of the preliminary loan from not  
to exceed \$66,400 to \$96,400."

Which was read.

Also,

Bill No. 2601

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 25th and 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 46-N-43, 45-S-336, 45-R-104, 45-M-88, 22-D-162, 45-M-135, 45-M-135a, 45-M-135b, 45-M-136, 22-D-134, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2602

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 1st Ward of the City of Pittsburgh owned by Joseph E. and Carol Jonnett and designated as Block and Lot 11-J-173 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

**Mr. Givens:**

Mr. President, regarding Bill No. 2602, I would like to communicate with those people just a little bit to find out exactly what had happened.

**The Chair:**

Do you want to recommit it?

**Mr. Robinson:**

I move to recommit Bill No. 2602.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2603

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Fred and Nathan Stephen and designated as Block and Lot 45-M-110 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2604

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Robert B. Allensworth, Jr. and designated as Block and Lot 23-F-129 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.



Also,

Bill No. 2605

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Allegheny Housing Rehab Corporation and designated as Block and Lot 46-N-201 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2606

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by William Funk, Executor of the Estate of James J. Hoban and designated as Block and Lot 45-S-121 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2607

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of

Pittsburgh owned by Walter R. Skorput and designated as Block and Lot 46-J-260 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2608

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Robert L. and Paulette M. Richard and designated as Block and Lot 46-E-198 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2609

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Fred and Willie B. Murray and designated as Block and Lot 45-M-101 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2610

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Frances L. James and designated as Block and Lot 45-R-103 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2611

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Troy and Lela A. Thomas and designated as Block and Lot 22-D-161 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2612

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of

Pittsburgh owned by Benjamin F. McCormack and designated as Block and Lot 45-S-120 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2613

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 26th Ward of the City of Pittsburgh owned by Amos C. Harp, Jr. and designated as Block and Lot 115-C-166 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Mr. President, I had asked for a Post Agenda and I think Mr. Perry was scheduling something, a hearing, on what is happening with Steve George, URA and how those properties are disposed of. Mr. Robinson and I have some great concern that those properties are being set aside, people want to buy them, they don't have access to them and I'm not voting for it. This is regarding all of these bills.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 6                      NOES 1  
**(MICHELLE MADOFF VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2708

Report of the Committee on Supplies for February 25, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2588

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of an IBM System 6/440 Information for the Department of Personnel and Civil Service Commission, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

Bill No. 2709

Report of the Committee on Water for February 25, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2527

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Ohio River Valley Water Sanitation Commission for a Study and Report on the Discharge of Waste Water and Disposal of Residues From Water Treatment Plants Using Surface Water as Their Source of Supply; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 2710

Report of the Committee on Parks and Recreation for February 25, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2592

Resolution entitled, "Resolution providing for a Supplemental Lease Agreement with the School District of Pittsburgh for certain property in the 28th Ward adjacent to the Westwood Elementary School, amending the current Lease Agreement, as revised, by extending the term of the Lease and providing for the construction by the

City of a swimming pool on the leased premises."

Which was read.

Also,

Bill No. 2593

Resolution entitled, "Resolution providing for an agreement or agreements with partime, as needed, Community Education Instructors in connection with the 1981 Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof not to exceed \$3,000.00."

Which was read.

Also,

Bill No. 2643

Resolution entitled, "Resolution authorizing an agreement or agreements or the use of existing agreements for professional services to be provided to the Uptown Little League and transferring the sum of Six Thousand (\$6,000.00) Dollars from Code Account 42, City Council to Code Account No. 1838, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty      Mr. O'Malley  
Mr. Givens        Mr. Robinson  
Michelle Madoff   Mr. Stone  
Mrs. Masloff      Mr. DePasquale  
                         (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 2711

Report of the Committee on Lands and Buildings for February 25, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also,                      with                      an                      affirmative recommendation,

Bill No. 2587

Resolution entitled, "Resolution amending Resolution No. 1262, effective December 5, 1980, entitled, 'Granting a License to Duquesne Light Company for the installation of one (1) pole and one (1) anchor, together with guy wires, upon, over and across City property fronting on Arlington Avenue, 16th Ward', by changing the block and lot number."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty      Mr. O'Malley  
Mr. Givens        Mr. Robinson  
Michelle Madoff   Mr. Stone  
Mrs. Masloff      Mr. DePasquale  
                         (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**The Chair presented**

Bill No. 2712

President and Members of Council  
510 City County Building  
Pittsburgh, PA 15219

Dear Councilmembers:

Because of the death of Louis Fosner, a vacancy now exists on the Board of Standards and Appeals.

Mr. Fosner has served as Chairman of the Board of Standards and Appeals and as Chairman of the Board of Code Review. His talents and time were unselfishly devoted to the people of Pittsburgh. While his work at Heinz Hall and Point State Park will live on, Louis Fosner will be missed by all who knew him.

Very truly yours,

RICHARD S. CALIGUIRI

Which was read, received and filed.

Also,

Bill No. 2713

Communication from Richard S. Caliguiri, Mayor, appointing John Mullin of 3635 Highland Avenue as a member of the Board of Standards and Appeals for a term to expire June, 1982.

Which was read, received and filed.

Also,

Bill No. 2714

Resolution approving the appointment by the Mayor of John Mullin of 3635 Highland Avenue as a member of the Board of Standards and Appeals for a term to expire June, 1982.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2715

Communication from Richard S. Caliguiri, Mayor, submitting the name of Ms. Oshea U. Perry of 1519 Bedford Avenue as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read received and filed.

Also,

Bill No. 2716

Resolution approving the appointment by the Mayor of Ms. Oshea U. Perry of 1519 Bedford Avenue as a member of the Human Relations Commission for a term to expire March, 1984.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2717

Communication from Richard S. Caliguiri, Mayor, re-appointing Edward Walkowski of 221 S. Evaline Street, as a member of the Zoning Board of Adjustments for a term to expire January, 1984.

Which was read, received and filed.

Also,

Bill No. 2718

Resolution approving the re-appointment by the Mayor of Edward Walkowski of 221 South Evaline Street as a member of the Zoning Board of Adjustment for a term to expire January, 1984.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2719

Communication from Richard S. Caliguiri, Mayor, re-appointing Leon Wolk of 1223 Bennington Avenue as a member of the Sinking Fund Commission for a term to expire March, 1986.

Which was read, received and filed.

Also,

Bill No. 2720

Resolution approving the re-appointment by the Mayor of Leonard Wolk of 1223 Bennington Avenue as a member of the Sinking Fund Commission for a term to expire March, 1986.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2721

Communication from Richard S. Caliguiri, Mayor, re-appointing Belinda Davis of 217 Forward Avenue as a member of the Sinking Fund Commission for a term to expire March, 1986.

Which was read, received and filed.

Also,

Bill No. 2722

Resolution approving the re-appointment by the Mayor of Belinda Davis of 217 Forward Avenue as a member of the Sinking Fund Commission for a term to expire March, 1986.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Stone:**

Mr. President, I would like the City Clerk to call them in so that we have

them here at the Council table and depending on when you get them we will move them but there is generally a two week delay.

**Mr. Givens:**

Are they coming in this Wednesday or next?

**Mr. Perry:**

I can get them in this Wednesday or next Wednesday.

**The Chair:**

You've got to get them in this Wednesday Mike.

**Mr. Stone:**

Put a red circle around their name if they don't live in the City.

**Mr. Givens:**

Mike could we have them for next Wednesday not this Wednesday, I think that time is very short.

**Michelle Madoff:**

And purple if they have two addresses.

**Michelle Madoff:**

Mr. President, a couple of items. I understand on the hearing Wednesday, the regular Finance Meeting where we are going to be discussing the water meter — you know the issue that Mr. Schmeiser and I feel very strongly about and I have had dozens, probably a hundred communications on water meters that have not been read, I understand there is some problem with the union. I would request that the City Clerk invite the union representatives to

be here because it is not my intention to circumvent the union, but to work with them to come up with a satisfactory arrangement.

On another matter, I have had a call from some representative, and I have just related it to Mr. O'Malley, from the garage, excuse me, the gas station owners, requesting that Council reconsider having self-service stations, not only self-service, in other words, eliminating service, but having a combination of the two. They are hurting and they would like to have, I think they were going to come to us themselves with some kind of a resolution, but I am just letting you know that they are -- probably, if I have heard about it they must have contacted others as well. They contacted me at home but I am sure they have called other members of Council. I have referred them to Mr. O'Malley, did you hear from them? Well, I referred them to you specifically, I said that was your department, that you had been working with it. They would like to have say one pump where they give service and one where those who want to save some money can pump themselves and have the benefit of the service so they didn't have to go to the garage.

Last item, I am sure that most members of Council saw the little comparison figure on the Pirates' leases compared with other cities, with Philadelphia, Cincinnati, New York, St. Louis Cardinals, and while everybody pays high salaries to their players, I was shocked to find that the minimum rent for Pittsburgh was \$486,500 and Philadelphia is \$160,000, Cincinnati is \$175,000, New York was only \$300,000 and St. Louis Cardinals was only \$75,000. You know, I was interviewed and my feelings are a contract is a contract which seems to be the feelings of Council. On the other hand, it is a

double edged sword. If for some reason we were to loose the Pirates which I don't think we will because I think the Pirates' contract backs up -- is a guarantee on the original contract with us, their private contract with the Pirates gives us some kind of a hedge, but nevertheless, anybody else that would come in here would probably require that we meet some of the demands and I guess they are demands, that are being requested of us presently. We are sort of between a hard place and a rock.

#### **The Chair:**

Michelle, in lieu of the fact that we are being sued and there is litigation, you are commenting about it now and if these comments are brought back to them will obviously be brought into court. I just think you know, they are at that stage and they want to sue people then let them go ahead and we'll take it from there.

#### **Michelle Madoff:**

Well my question is who is being sued? Are we being sued as members of Council?

#### **The Chair:**

The City of Pittsburgh and the Stadium Authority.

#### **Mr. Stone:**

No, no, only the Stadium Authority is being presently sued.

#### **Michelle Madoff:**

And will it ever come before Council for a vote, at any point?

#### **Mr. Stone:**



At this point it will not come before Council relative to that matter.

**Michelle Madoff:**

Will it ever come before us?

**Mr. Stone:**

There may be some issues that may come before this body.

**Mr. Givens:**

We can take whatever initiatives we want to take regardless of suit.

**Michelle Madoff:**

No I'm not talking about taking initiative, I don't think it is proper to take initiative, it is going to court, that is where it belongs, but I am saying at some point if the court says there ought to be some amendment or some adjustment, will it eventually come back before us?

**Mr. Stone:**

There may be some legislation forthcoming relative to allied matters, but we presently are not a party to that action although it would appear to me that the City should protect their interest because we are putting out \$800,000 of the City taxpayers' money each year on that debt service, so therefore we have a peculiar interest in the result.

**Michelle Madoff:**

Which is why we shouldn't take free memberships in the inner circle.

**The Chair:**

You could go on and on and on Michelle, I think I'm a little closer to

that matter than anyone here. They are the only Major League Ball Club that gets the concession rights.

**Mr. Stone:**

Correct.

**The Chair:**

Some Major League Ball Clubs are owned out right by the owners. Those that are owned by municipalities or authorities or are run by authorities, they collect the concessions, not the Ball Club. They are the only Ball Club and there is something like \$3 Million a year.

**Michelle Madoff:**

I understand that because I heard the Mayor say that on the air and I was just wondering whether it would be appropriate for Council to get some — here they do a comparison in the paper and that is really not, that is sort of a misleading kind of thing, if indeed we are not taking into consideration the concessions. Maybe we ought to see what concessions the other cities get, and the fact that our concession —

**The Chair:**

I had a conversation with a gentleman last week and he is in a position to do it, who said he would take over that contract tomorrow and pay that price, whatever they wanted for the Ball Club and relieve them of their responsibility.

**Michelle Madoff:**

Who is this, I'm sorry?

**The Chair:**

I'm not at liberty to say.

**Michelle Madoff:**

But you said you spoke to someone?

**The Chair:**

I'm just saying there are people out there who are willing to buy that club and they are willing to share that so-called responsibility that they are trying to renig on.

**Michelle Madoff:**

The point I am making Mr. President, is that I think Council should be informed. That doesn't mean we have talk about it publicly. I did not know that we had the concessions given to, what is their name?

**Mr. O'Malley:**

Three Rivers Management.

**Michelle Madoff:**

Three Rivers Management, I think that should also be pointed out. Perhaps as President of Council you might want to write a letter to the editor saying, "Yes, they may pay a high rent but they have all the concessions". And I think that ought to be straightened out in the public's mind.

**Mr. Stone:**

Mr. President, I think that Dave Matter very expressly answered that in the Press article and brought forth that matter. While we are on this, so that we don't get into a lot of things, as Finance Chairman, I have taken the position that if the Pittsburgh Pirates or the Three Rivers Management is concerned about that bottom line, then aren't we, the citizens of the City of Pittsburgh, relative to the tax operating budget, aren't we likewise concerned about the

bottom line? But I just want to say this as I did on the television program, it is a regretful thing that when you have a situation where the Galbreath family who have given a lot of good things to the City of Pittsburgh and this thing has degraded itself to the necessity of a lawsuit, I think we have to protect our interests but I would very clearly and expressly here caution on too much discussion at Council relative to this matter while this action is pending.

**The Chair:**

Thank you Mr. Stone.

**Mr. Stone** moved to approve the minutes of Monday, February 17, 1981 and Monday, February 23, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MARCH 9, 1981

No. 10

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAY... Ass't City Clerk

Pittsburgh, PA  
Monday, March 9, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Givens presented

No. 2723 Resolution amending Resolution No. 778, effective August 14, 1980, providing for the letting of contracts for materials, general supplies,

and equipment during the calendar year 1981, by revising the amount requiring advertised bids in order to conform to the terms of Ordinance No. 3, effective January 22, 1981.

Which was read, and referred to the Committee on Supplies.

Mr. Givens moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Michelle Madoff seconded the motion.

Which motion prevailed.

Also,

No. 2724 Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, in the amount of \$5,361.40 in payment for Extra Work furnished for the benefit of the City in connection with the East Liberty Mall Access and Parking Improvement along Highland Avenue and Broad Street Mall (Community Development); and providing for the payment thereof.

Which was read, and referred to the Committee on Finance.

Also,

No. 2725 Resolution providing for a contract/s for the construction and reconstruction of various Mt. Washington intersections and improvements at

various locations and other work incidental thereto; and providing for the payment of the cost thereof not to exceed \$250,000.00 payable from PW 81-26.

Also,

No. 2726 Resolution amending Resolution No. 172, approved 2-20-81, effective 3-2-81, entitled, "Providing for an Agreement/s with Michael Baker, Jr., Inc., for Professional Services in connection with a preliminary permit for hydroelectric facilities at Allegheny River Lock and Dam No. 2, and providing for the payment of the cost thereof", by amending the title and increasing the total allocation \$5,000.00.

Which was read and referred to the Committee on Public Works.

Also,

No. 2727 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of raincoats and hoods for the Police Department, the cost of which is not to exceed \$8,560.00, chargeable to and payable from Code Account No. 1445, Equipment, Department of Police.

Also,

No. 2728 Resolution providing for the letting of a contract/s for the furnishing and delivery of auto connect, multi digit access couplers for the Department of Emergency Medical Services the cost of which is not to exceed \$13,000.00, chargeable to and payable from Code Account No. 1423, Equipment, Department of Emergency Medical Services.

Also,

No. 2729 Resolution providing for

the letting of a contract/s for the furnishing and delivery of pressure demand air masks complete with composite air bottles and carrying cases for the Fire Department, the cost of which is not to exceed \$20,000.00, chargeable to and payable from Code Account No. 1468, Equipment, Department of Fire.

Which were severally read and referred to the Committee on Supplies.

#### **Michelle Madoff presented**

No. 2730 Resolution providing for the issuance of a warrant in favor of Patterson Industries, Inc., East Liverpool, Ohio 43920, in the amount of \$7,920.27, chargeable to and payable from Code Account 1714, Materials, Department of Water for purchase of 30" gate valve.

Which was read and referred to the Committee on Finance.

Also,

No. 2731 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission for Assistant Director J. T. Bruecken to attend American Water Works Association Annual Conference, St. Louis, MO, June 7-11, 1981, at a cost not to exceed \$587.00, payable from Code Account No. 1701, Miscellaneous Services, Administration Division, Department of Water.

Which was read and referred to the Committee on Water.

#### **Mrs. Masloff presented**

No. 2732 Resolution authorizing the issuance of a warrant in favor of McKamish-Chesapeake, Incorporated in the amount of \$450.00 in payment for

work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment of the cost thereof.

Also,

No. 2733 Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$209.79 in payment for work performed at Broadhead-Fording Pool and Park, furnished for the benefit of the City without previous authority of law and providing for the payment of the cost thereof, (76 CDPR).

Which were read and referred to the Committee on Finance.

Also,

No. 2734 Resolution repealing Resolution No. 294, effective May 19, 1976, entitled: "Providing for a contract/s for the renovation of the proposed Beechview Senior Citizen's Center, in the Department of Parks and Recreation at a cost not to exceed \$5,000.00, chargeable to and payable from the 1975 Community Development Block Grant Program.

Also,

No. 2735 Resolution providing for a license Agreement with the Urban Redevelopment Authority of Pittsburgh for the use by the City of ballfield or ballfields, Northgate Park, prior to completion of the project, and indemnifying the Urban Redevelopment Authority against claims arising from such use.

Also,

No. 2736 Resolution providing for a lease from Western Pennsylvania Water

Company of certain property on Beech Run Road, 29th Ward for a term from April 1, 1981 to September 3, 1981, at rental of One Dollar for recreation purposes.

Also,

No. 2737 Resolution providing for a contract/s with a band leader/s for personal services in conjunction with the 1981 Festival, Senior Citizen, Special Events, and Concern Programs and providing for the costs thereof, \$9,500 from Code Account 1843, \$11,000 from Code Account 1837, \$18,000 from Code Account 1833.

Also,

No. 2738 Resolution further amending Exhibit I of Resolution No. 1229, effective 12-31-79, the 1980 Capital Budget, as further amended by Resolution No. 854 of 1980, Resolution No. 969 of 1980, Resolution No. 1068 of 1980, Resolution No. 1069 of 1980 and Resolution No. 1107 of 1980, entitled "Adopting the 1980 Capital Budget and allocating and setting aside accounts in connection therewith; creating Capital Funds; transferring B.F. to said Capital Funds", by transferring \$70,000 of the 1980 Community Development Block Grant allocation from Senior Center Leases, and Rehabilitation to Quarter Field Restrooms/Design and Construction.

Also,

No. 2739 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,045.00 for extra work in connection with electric contract for Highland Park Bathhouse renovation.

Also,

No. 2740 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,000.00 for extra work in connection with general construction contract for Highland Park Bathhouse renovation.

Also,

No. 2741 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission to attend Urban Park and Recreation Alliance Conference, Dallas, Texas, April 2-5, 1981, at a cost not to exceed \$587.00, payable from Code Account No. 1801, Miscellaneous Services, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 2742 Resolution providing for the issuance of a warrant in favor of forty Police Officers in the amount of \$16,988.68 in payment for travel and meals incurred while in training, chargeable to and payable from Police Recruit Training (PRT); and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 2743 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for Captain Hitchings and Inspector Friel to attend Arson Investigations Seminar, Cherry Hill, N.J., March 30, to April 3, 1981, at a cost not to exceed \$650.00, each payable from Code Account No. 1463-1, Educational and Travelling Expenses,

Department of Fire.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 2744 Resolution authorizing the issuance of a warrant in favor of the Stanton Heights Civic Association in the amount of \$375.69 in payment for mailed copies of the Stanton Heights Civic Association's "Community Newsletter" to 2,000 households concerning a public hearing on January 20, 1981 on the Stanfield UDAG, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 2745 Resolution amending Section 11 of Resolution No. 1228 so as to decrease "West End Flood Gate Repair" from \$50,000 to \$0; increase "Miscellaneous Repairs to Streets and Structures" from \$50,000 to \$100,000; decrease "Senior Centers, Leases and Rehabilitation" from \$70,000 to \$0; add "Quarry Field Recreation Facility" (\$70,000); and correct project number for "Miscellaneous Street Lights in Community Development Areas" from 4-30-01-0948-80-83-80-01 to 4-30-05-0001-80-41-80-30.

Also,

No. 2746 An Ordinance supplementing the Pittsburgh Code, Title Seven, Business Licensing, Article 7, Service Businesses, by adding a new Chapter 767, entitled "Private Towing Operators" and providing for the regulation thereof.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

2747 Resolution providing for issuance of warrant to Karl Hardman Schon, c/o Judith L. Maute, Esquire, in the amount of \$12,000.00 in full settlement of a claim arising from property damage resulting from a City vehicle colliding with three vehicles owned by Mr. Schon, on Greenfield Avenue in the City of Pittsburgh, 12/6/77.

Also,

No. 2748 Resolution providing for the issuance of a warrant to Patricia A. Hardy, c/o Anthony J. Polito, Esquire, and Rose, Schmidt, Dixon, Hasley, Whyte and Hardesty in the amount of \$6,000.00 in full settlement of the City's share of a claim arising from personal injuries suffered as a result of being thrown through the windshield of an automobile at 32nd Street near Sassafras Way on September 17, 1973.

Also,

No. 2749 Resolution providing for the issuance of a \$1,533.09 warrant in favor of Maryland Casualty Company & Leroy Raffel for automobile damage by a City Emergency Medical vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 2750 Resolution providing for the issuance of a warrant in favor of West Penn Fleet, Dollar Rent-A-Car of Pittsburgh, in the amount of \$1,340.00, in payment for the rental of two (2) Sub-Compact Cars for the department of City Treasurer for the period January 1,

1981 to February 28, 1981 furnished for the benefit of the City in connection with Parking Meter Collection and Scofflaw Enforcement and providing for the payment thereof, payable from Code Account No. 1068, Miscellaneous Services, Department of City Treasurer.

Also,

No. 2751 Resolution providing for the issuance of a warrant in favor of Digital Equipment Corporation, in the amount of \$807.90 in payment for the repair of a Digital Model LA120 Computer Terminal Printer for the City. Treasurer's Department furnished for the benefit of the City and providing for the payment thereof.

Also,

No. 2752 Resolution providing for an Agreement/s with Public Financial Management, Inc., for professional services in connection with independent financial advice to the City of Pittsburgh for the management of the City's fiscal affairs; and providing for the payment of the cost thereof not to exceed \$15,000.00.

Also,

No. 2753 Resolution providing for an Agreement/s for consulting services to assist the City of Pittsburgh in acquiring State assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh and providing for the payment of the costs thereof, cost not to exceed \$15,000.00, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 2754 Resolution providing for an Agreement/s for consulting services

to assist the City of Pittsburgh in acquiring Federal assistance and funding and to work with various agencies of government for the benefit of the City of Pittsburgh and providing for the payment of the costs thereof cost not to exceed \$30,000, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 2755 Communication from John McAllister, Manager, City Information Systems, requesting interim approval of payment of \$3,915.70 to Air and Power Service Company for emergency repairs and services to air conditioning unit in computer room and dry cooler on roof of the Public Safety Building, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems.

Also,

No. 2756 Communication from John McAllister, Manager, City Information Systems, requesting permission for Edward Walkowski, to attend Computer Software and Operating System Course, Atlanta, GA, March 23-27, 1981, at a cost not to exceed \$867.00, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems.

Also,

No. 2757 Communication from Ronald Schmeiser, City Treasurer, requesting permission for Deputy Treasurer George Jacoby to attend Municipal Finance Officers Association Conference, Boston, Mass., June 14-18, 1981 at a cost not to exceed \$1,500.00, payable from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 2758 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of January 30, 1981.

Which were severally read and referred to the Committee on Finance.

### **The Chair presented**

2759 Petition from the citizens of the Oakland area requesting a public hearing (preferably in the evening) before City Council to discuss their desire to implement a residential sticker parking program in Oakland.

Which was read and referred to the Committee on Planning, Housing and Development.

## **REPORTS OF COMMITTEES**

### **Mr. Stone presented**

Bill No. 2760

Report of the Committee on Finance for March 4, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2630

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the U.S. Steel Corporation in the amount of Eighteen Thousand One Hundred Sixty Nine Dollars and Thirty Six Cents (\$18,169.36) in payment for



extra work furnished for the benefit of the city on connection with the furnishing and installation of a chain link fence on the Murray Avenue Bridge and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2631

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mosites Construction Company in the amount of Twenty Thousand Four Hundred Thirty One Dollars and Fourteen (\$20,431.14) Cents in payment for 'Extra Work' furnished for the benefit of the City in connection with the Herron Avenue Bridge - Phase II; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2632

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Borough of Mount Oliver in the amount of One Thousand Eight Hundred Seventy Nine Dollars and Twenty Cents (\$1,879.20) as payment for the City of Pittsburgh's share in the repair of a sanitary sewer."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2641

Resolution entitled, "Resolution transferring the sum of \$183,204.00 from Code Account No. 1443-2, Salary Transfer, City-County Identification System, to the City-County Integrated Identification System Project (C-CIISP) Trust Fund."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill

passed finally.

Also,

Bill No. 2644

Resolution entitled, "Resolution providing for the issuance of a warrant to the Economic Development Administration in the amount of \$9,472. for the return of unspent grant funds in connection with the Comprehensive Economic Development Planning Program and providing for the payment thereof."

Which was read.

Also,

Bill No. 2661

Resolution entitled, "Resolution providing for the issuance of a warrant to Virginia Murnane in the amount of \$23,500.00 in full settlement of claim for personal injury and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2663

Resolution entitled, "Resolution extending the term of existence of the Public Auditorium Authority of Pittsburgh and Allegheny County."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2685

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Swank Construction Company in the amount of Sixty Nine Thousand Eight Hundred Fifty Dollars and Fifty-one (\$69,850.51) Cents in payment for additional work furnished for the benefit

of the City in connection with asphalt milling on various streets throughout the City of Pittsburgh and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 2761

Report of the Committee on Public Works for March 4, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2633

Resolution entitled, "Resolution providing for a Contract or Contracts or the use of existing Contracts for the

rental of equipment and payment for Miscellaneous Services in connection with the City's Capital Construction Division."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

Bill No. 2762

Report of the Committee on Planning, Housing and Development for March 4, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2532

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title

Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing from 'C3' Commercial and 'RP' Planned Residential Unit Development Districts to 'CP' Commercial Planned Unit Development District all that certain property bounded by: STANTON AVENUE; NORTH AIKEN AVENUE; the northeasterly and northwesterly property boundary of Block 83A, Lot No. 6 in the Allegheny County Block and Lot System; MOSSFIELD STREET; AZURE STREET; SCHENLEY MANOR DRIVE; the easterly and southerly boundary of the 'R1' One-Family Residential District located between ROSECREST DRIVE AND STANTON AVENUE; 10th Ward."

Which was read.

**Mr. Givens:**

Is there an amendment to the bill?

**The Chair:**

There is no amendment to the bill.

**Michelle Madoff:**

Isn't there an amendment in the bill?

**Mr. O'Malley:**

I would like to make an amendment if it is proper.

**The Chair:**

It is within order sir.

**Mr. Givens:**

Yes, well, I see this underlined portion of the handout that was given to us, I assume that that is new —

**The Chair:**

Mr. Givens an amendment to the bill is in order if we get an amendment and a second then we will vote on it.

**Mr. O'Malley:**

I was under the impression that Mr. Robinson was going to make the amendment.

**Mr. Robinson:**

I have no amendment.

**Michelle Madoff:**

Point of clarification Mr. President, just so we understand what we are doing, may I ask one question. Mr. Robinson, is the bill you introduced as it is on the table today? Because what has happened is the key factor is now underlined that would make it palatable to most of us or to all of us, is that in the ordinance that you are voting on, yes or no, if not we need an amendment.

**Mr. Robinson:**

Mrs. Madoff, I have not offered any amendment on this bill, I do not intend to offer any amendment on this bill.

**Michelle Madoff:**

Sir, I am sorry you didn't understand me or I didn't understand me, I apologize, is the bill that we are voting on the one that is in front of us that says, "An Ordinance", which has the underlining, is that not the bill that we are voting on?

**Mr. Robinson:**

No, that is not the bill we are voting on.

**Michelle Madoff:**

Then it needs an amendment, thank you, I just wanted to be clarified. Thank you.

**Mr. O'Malley:**

I move to amend Bill No. 2532 by adding at the end of Section 2, "that said plan shall include a provision stipulating that if both primary structures are abandoned, i.e., not in use for a period of one year, then the access road area near Stanton Avenue shall be filled, graded and landscaped to restore, to the extent possible, the original topography and appearance and to prevent ingress and egress at Stanton Avenue.

**Michelle Madoff** seconded the motion.

**The Chair:**

Let me get something clear, according to the story in the paper they were talking about ten years and now you are saying three years.

**Mr. O'Malley:**

One year.

**The Chair:**

One year? Wait —

**Mr. O'Malley:**

If the structures are abandoned for a period of one year.

**The Chair:**

If they are completely abandoned for a period of one year.

**Mr. O'Malley:**

Right, in other words they could be built and ten years down the road for some reason they close up, if they are

abandoned for a period of one year, then the road will be taken out.

**The Chair:**

Pretty hypothetical, why would they build it and then abandon it?

**Mr. O'Malley:**

Well they are not going to, this is just an amendment to protect and address the concerns of the Morningside residents.

**Michelle Madoff:**

You'd need a bond Mr. President.

**Mr. Givens:**

Mr. President, on the amendment itself, it was seconded, and my discussion with the officers of the Morningside Civic group, they so indicated that when 50% of the shopping center was not occupied, you know, there had to be some calibre, in looking at this resolution and appreciating that this will go into the Planning site plan, but it says here that if both primary structures are abandoned —

**The Chair:**

Well, Mr. Givens, I can answer very quickly, it is our prerogative to make amendments and not the Morningside Civic Association, or whatever they are called. Mr. O'Malley has made an amendment and we have a second, if you want to discuss that amendment we will discuss it.

**Mr. O'Malley:**

Mr. Mario Fischetti of the Morningside Civic Association aided in the writing of the amendment, this is what he proposed along with us.

**Michelle Madoff:**

He was the strongest objector.

**Mr. O'Malley:**

Right. He helped draft this amendment this morning.

**Mr. Givens:**

Well, as of late last night, the consensus was 50% because I tried to clarify -- well he meant what does abandonment mean, this means total abandonment vs. what he considered 50% abandonment --

**The Chair:**

The longer we are going to go on this the muddier it is going to get --

**Mr. Givens:**

No, if that is what the --

**The Chair:**

Let's try to make some sense out of it, we have an amendment, we have a second, now either you are for the amendment or you are against it. I can appreciate your discussion but to go into 50% and changing it all over, you talked to somebody last night --

**Mr. Givens:**

No, no Mr. President, please, I am just trying to get clarification, Jim O'Malley so indicated that that was what the President and the officer of that particular organization gave him this morning then I'll accept that, but that is not what I received last night but I would have to say that maybe they did not have concrete plans as to how they were going to write this legal terminology but I don't know if that is the intent, that is total

failure of the shopping center.

**Mr. O'Malley:**

No, two main structures on each end, not total failure.

**Michelle Maddoff:**

Mr. President, may I ask the Finance Chairman a question?

**Mr. Givens:**

I'm not finished please -- another question Jim, two main structures, then does that constitute 50% of the total? You know, we don't even have a site plan in front of us, but would that constitute 50% of the square footage of that shopping center?

**Mr. O'Malley:**

I think approximately 80%.

**Michelle Madoff:**

May I ask the Finance Chairman a question? Mr. Stone, in your experience in Real Estate Law, do we need a bond?

**The Chair:**

Need a what?

**Michelle Madoff:**

I mean supposing the company, ten years from now, says, "Well, I have nothing to do with it, I went bankrupt, although we planned to do the road, see somebody else, we are not here", will the City then have to take on that responsibility? Is there a bond going to be posted in advance?

**Mr. Stone:**

I don't know that much of a bond is

necessary here, I think what he is attempting to do is to put in an ordinance that conditions it so that that portion of objection will be satisfied. Taking one year is probably in line with the zoning laws relative to abandonment, there must be an abandonment for a year, so a year's period is a good period.

**Michelle Madoff:**

I didn't get an answer to my question, supposing --

**Mr. Givens:**

Michelle, maybe I can answer your question --

**Michelle Madoff:**

No, I'm talking and asking Mr. Stone a question, I'm having some dialogue with him.

**Mr. Givens:**

Mr Stone said he didn't know, I'll tell you what the people want.

**Michelle Madoff:**

Perhaps he didn't understand what I am saying. Supposing the builder goes bankrupt, or has sold out his interest and is no longer involved in this project, the project goes bad, where does the liability of removing the street lie and how do we put this in the bill?

**Mr. Stone:**

Well it will go from one to the next, to the last party and they have buildings there and in order to protect their buildings you have some asset you could check on.

**Michelle Madoff:**

So what you are saying then is that in any lease that is signed with anyone, in that property, that stipulation would have to be included, then we ought to say that here.

**Mr. Stone:**

No, the person who owns the whole thing is subject to that provision. So if a developer gets --

**The Chair:**

Whoever it is Michelle, the City is going to put the road in. The City is responsible 100%.

**Michelle Madoff:**

And the City will be responsible for closing it up. Is that correct? If that is correct then that is fine with me. If that is the ground rules that is fine, I just want to know if whoever is responsible will do it. I think you are right Mr. DePasquale, we are opening the road, we will close it. Fine, you solved my problem.

**Mr. Givens:**

Well, it comes under the site plan and the site plan ties into the UDAG grant and within that UDAG application I would hope someplace it would have that the owner of that property and hopefully it would be just one owner, or just one corporation type owner, who would be assessed a certain percentage of maybe their gross and that that money would go into escrow and that that money would build up in a separate account with interest and that that money then would be used, when it would accumulate so much, to do whatever they had to do to restore that area, any money in excess of that they could use for refurbishing that particular site itself meaning shrubbery, roadways or anything like that, but there

would be a kitty, there would be a cash surplus built up for that extent, if that is not written in to the site plan then it does not get my approval for the UDAG grant, it is that simple. Somplace along the line that must be written in in legal terminology.

**Mr. Stone:**

Move the question.

**The Chair:**

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the amendment was approved.

**The Chair:**

Now, on the bill itself, any further discussion?

**Mr. Robinson:**

Mr. President, I would like to have entered into the record at this point, the letter that the City Clerk forwarded to department heads relative to the information I had requested from them on this particular bill, 2532. I also would

like to have a copy of any responses that we received in writing, also I would like to have my comments from the very first Finance Committee meeting in which this bill was discussed, only my suggestions, not my total comments, only my original suggestions. I would like to also have included in the record my comments from the second Wednesday session in which this bill was discussed, I would also like to have included the letter from Mr. Lurcott relative to the issue of how many votes we needed on the zoning matter and a copy of the letter from the Law Department on this matter. I also would like the record to reflect that I believe we need seven votes to pass this particular piece of legislation.

**The Chair:**

We need five votes Mr. Robinson.

**Mr. Givens:**

Excuse me Bill, it takes how many votes?

**Mr. Robinson:**

I said I would like to have in the record --

**The Chair:**

That you think we need seven votes.

**Mr. Robinson:**

...that I believe that we need seven votes to pass this particular piece of legislation.

**Mr. Givens:**

Well, I exactly --

**Mr. Robinson:**



Point of clarification if I might --

**Mr. Givens:**

I addressed that --

**Mr. Robinson:**

Point of clarification if I might.

**Mr. Givens:**

Yes.

**Mr. Robinson:**

I believe if Council reads Mr. Lurcott's letter, it indicates that we would need seven votes if there were objections from a percentage of the people in the affected area. This Council was informed that 1,300 residents of Morningside objected. I believe that would qualify for the percentage that Mr. Lurcott was making reference of. Rather than hold this bill any longer and cause anybody any other inconvenience I simply want the record to reflect that I believe we need seven votes to pass this legislation.

**The Chair:**

Mr. Lurcott would you like to address yourself to that?

**Mr. Givens:**

Well Mr. President, I would like to

**The Chair:**

One moment, the only thing that I know is that when I talked to Mr. Lurcott in my office and I was under the impression that Mr. Robinson was, that you needed seven, Mr. Lurcott said no, only five.

**Mr. Lurcott:**

I believe the ordinance refers to affected property owners and of those property owners live within 150 feet of the proposed project the percentage objecting of that group did not exceed 20%.

**The Chair:**

In other words if people in Oakland objected to that road it would have no bearing on the vote.

**Mr. Lurcott:**

Yes, that is correct.

**Mr. Givens:**

Mr. President, I likewise discussed with the Zoning Coordinator, Jim Brown, who is responsible for this zoning to us as to the total number of votes required and Jim said likewise, it is 20% of the people abutting within 150 feet of that particular area and about 99% of the cases that come before this Council on zoning, it is generally of a smaller magnitude and generally when 20% of the people, we are considering one or two people. On this particular property there are quite a few residents apparently abutting that 150 foot property line.

**The Chair:**

Do you still want that included in the record Mr. Robinson? That seven votes?

**Mr. Robinson:**

Yes.

**LETTERS FROM THE CITY CLERK TO  
DIRECTOR LURCOTT:**

February 26, 1981

Robert Lurcott, Director  
Department of City Planning  
City of Pittsburgh

Dear Director Lurcott:

Councilman Robinson requested that you arrange a meeting with himself, representatives from Stanton Heights, Morningside and Garfield and developer Frank Zappala, Jr. to discuss the issue of the access road as referred to in Bill No. 2532 (Stanton Heights Shopping Center Project).

You are requested to contact Mr. Robinson regarding this matter as soon as possible.

Sincerely,

Michael Perry  
City Clerk

MP/jrm  
cc: Councilman Robinson

**ALSO:**

February 26, 1981

Robert Lurcott, Director  
Department of City Planning  
City of Pittsburgh

Dear Director Lurcott:

At Council's Finance Meeting of February 25, 1981, Council requested that, before any agreements are signed relative to Bill No. 2532 (Stanton Heights Shopping Center Project) you provide Council with complete review of the process, including the site plan.

Your complete cooperation in this matter is requested.

Sincerely,

Michael Perry  
City Clerk

MP/jrm  
cc: Rosemary D'Ascenzo

**END - LETTERS TO DIRECTOR LURCOTT.**

**DIRECTOR LURCOTT'S RESPONSE:**

March 3, 1981

Mr. Michael Perry  
City Clerk  
Council Chambers  
City-County Building  
414 Grant Street  
Pittsburgh, PA 15219

Dear Mr. Perry:

This is in response to your letter of 26 February 1981 requesting a meeting on the proposed Stanton Heights Shopping Center. The meeting has been scheduled for Wednesday, 4 March at 1:00 p.m. with Mario Fischetti, Mary Jo Bradley, Father Joe Kurutz, Jerry Friedman, Bob Pipkin, Bobby Wilson, Jr., Frank Zappala, II and Councilman Robinson.

In checking further with HUD officials, we have confirmed that the 15 March date is still correct as the deadline for having evidence for zoning approval submitted to Washington to ensure the processing of our UDAG application for the shopping center.

I would like to reconfirm that five (5) affirmative votes are needed for the zoning action.

Finally, there has been some confusion concerning the issue of the access road. The petitions from Morningside voiced opposition to a road connecting Stanton

Avenue and Mossfield. What is now proposed by the developer is simply an access from Stanton Avenue to the parking lot of the proposed center with no through connection. Subsequent to the public hearing, the developer has reiterated that he would be satisfied with such an access road connection.

Sincerely,

Robert H. Lurcott  
Planning Director

cc: Wm. R. Robinson  
RHL/bb

**END - DIRECTOR LURCOTT'S  
RESPONSE.**

**CITY CLERK'S LETTER TO MEAD J.  
MULVIHILL, CITY SOLICITOR:**

February 26, 1981

Mead J. Mulvihill, Jr.  
City Solicitor  
City of Pittsburgh

Dear Mr. Mulvihill:

At Council's Finance Meeting of February 25, 1981, Bill No. 2532 (enclosed copy) regarding the Stanton Heights Shopping Center received preliminary approval from Council with hopes that the developer will either eliminate or alter the proposed access road.

Councilman Givens requested that you provide this office with a legal opinion relative to the following:

If Council grants final approval on this zoning change (Bill No. 2532) do they have the power to halt this project if they disapprove of the developer's site plan, even though the Planning Commission approves of the site plan?

You are requested to submit this information prior to the regular meeting of Council scheduled for 2:00 p.m. Monday, March 2, 1981, at which time this subject will be taken up.

Sincerely,

Michael Perry  
City Clerk

MP/jrm  
cc: Councilman Givens

**END - LETTER TO MEAD J.  
MULVIHILL, JR.**

**RESPONSE FROM MEAD J. MULVIHILL,  
JR.:**

February 26, 1981

Honorable  
President and Members  
City Council  
CITY OF PITTSBURGH

Re: Bill No. 2532 - Improvement  
Subdivision Site Plans

Dear President and Members:

You have requested an opinion as to whether Council has the power, after it grants final approval of a zoning change to CP Planned Commercial District (Bill #2532), to halt a project if Council disapproves of the developer's improvement subdivision site plan even though the City Planning Commission has approved it.

The Act of May 13, 1927, P.L. 1101, as amended, 53 P.S. .22769 et seq., vests the Planning Commission with sole jurisdiction and control over subdivisions and through that jurisdiction and control approval power over improvement and subdivision site plans. Section 961.03 of the Pittsburgh Code is in accord with

this provision by providing that the Planning Commission is solely responsible to review and approve improvement subdivision site plans in all "CP" Planned Commercial Districts. Attached is a copy of an opinion dated February 26, 1975 which rendered similar advice.

Accordingly, it is our opinion that City Council has no power to approve or disapprove improvement subdivision site plan.

Very truly yours,

Mead J. Milvihill, Jr.  
City Solicitor  
Submitted by:  
D. R. Pellegrini  
Deputy City Solicitor

DRP:rms

ALSO attachment:

February 26, 1975

Honorable  
President and Members  
City Council  
CITY OF PITTSBURGH

Dear President and Members:

You have requested that this Department prepare an amendment to the "RP", "CP" AND "AP" sections of the Zoning Ordinance giving Council "the approval power over major changes in the Improvement Subdivision Site Plan" when said changes are made after the public hearing has been held by Council.

The Act of May 13, 1927, P.L. 1101, as amended, 53 P.S. 22769 (Supp) provides:

"The Planning Commission shall have jurisdiction and control of the subdivision

of land located in such city, and no plat of a subdivision of land shall be recorded until it shall have been approved by such planning commission..."

Accordingly, it is the opinion of this Department that any ordinance which purported to give City Council any approval power of "Improvement Subdivision Site Plan" would be in contravention of the above cited state legislation and, therefore, illegal.

Very truly yours,

Mead J. Mulvihill, Jr.  
City Solicitor

Submitted by:  
D. R. Pellegrini  
Asst. City Solicitor

END - RESPONSE FROM MEAD J. MULVIHILL, JR.

MR. ROBINSON'S REMARKS  
REGARDING BILL NO. 2532 FROM THE  
MEETING OF WEDNESDAY,  
FEBRUARY 25, 1981:

Mr. Robinson:

Mr. Chairman if I might. In an attempt to help resolve some of the problems that were raised in the public hearing and also the Planning Commission, I would like to suggest the following actions of Council. I would like to suggest first of all that we approve this particular zoning change with the following conditions: One, that we instruct our Planning Commission to work with the designated representatives of Stanton Heights, Garfield and Morningside areas to resolve the issue of access. Two, that Council put the same kind of proviso in our approval that the Planning Commission did. That is that no agreement will be signed until an approved site plan has been submitted to

Stanton Heights and Morningside and I think the developer, Mr. Frank Zapalla, was painted as an inflexible individual and I think that is the case.

I still believe that if we would have handled this in private with respect for all parties concerned today, everyone on this Council would vote their conscience and everyone else could respect them. We are delaying this total process, jeopardizing the shopping center, jeopardizing the wishes of the people in Stanton Heights and Garfield, disrespecting the desires and true interest of the people in Morningside and I think not acting in a responsible fashion. With that in mind I vote aye.

**END - MR. ROBINSON'S REMARKS ON BILL NO. 2532, 3/4/81.**

**Mr. Givens:**

I would like also for my comments from the first and second Wednesday sessions to be added to the municipal record.

**MR. GIVENS' REMARKS ON BILL NO. 2532 FROM THE MEETING OF WEDNESDAY, FEBRUARY 25, 1981:**

**Mr. Givens:**

I'd like the President of Council's suggestion that we bring Mr. Zappala in here and anybody from his corporation. I'm just wondering if that particular corporation has the same time span to evaluate if they do not have this particular excess route as to, can they go forward? What I heard here yesterday was that about 46 percent of the people that are going to be using that particular facility will be coming by that new access route and if that is the case, I can't see any developer in his right mind, he'd have to cut the scale down 50 percent or so for that particular

development. That is the hard core facts.

Maybe Mr. Zappala and Corporation would like to come in and talk to us and if they would say that they would go through with it, fine. We have the total concern on this Council and as far as I am concerned legally, and Mike (Perry), regardless of how I vote on this I want a legal opinion from Mead Mulvihill as to what I feel our Council responsibility is. Get a letter saying not this bill is approved by Council in its present form, I don't think Council has any legal jurisdiction. The Planning Commission is the Planning Commission. We have not control over authority. Now we could have a gentlemen's agreement that they will review it with us but that doesn't give us any legal standing and I'm afraid I don't want to relinquish that because all of the people that Bill had mentioned here Director Lurcott, The Planning Commission, etc., are appointed officials, they are not elected. The only people out there that have representation is through this Council and through the Mayor.

Mr. Chairman I would like to abstain for the mere reason that I want to sit down with the developer between now and Monday and if I hear what I want to hear from the developer then my vote will change Monday to either an aye or a no vote.

**END - MR. GIVENS' REMARKS ON BILL NO. 2532, 2/25/81.**

**MR. GIVENS' REMARKS ON BILL NO. 2532 FROM THE MEETING OF WEDNESDAY, MARCH 4, 1981:**

**Mr. Givens:**

We had asked that Frank Zappala be here today, is he here in the

the Planning Commission. That was one of the conditions that the Planning Commission put on this development; they wanted the improved site plan.

The reason that I raise this is that I think that the issue over the access road is most specifically addressed in the site division plan which we do not have at this point. So in an attempt to keep further tensions from building, I think it may be more appropriate to deal with that issue within the technical content. That is, once the developer submits to the Planning Commission the site division plan, hopefully the issue of the access road will be addressed. If not, certainly Council, prior to approving any agreement, can again address that issue. But I think it may be good for all parties now since the issue has been addressed, to sit down with the experts and try to work it out.

I am suggesting that we approve the legislation that is before us as it is. The second thing, I'm saying that this Council needs the request to instruct Mr. Lurcott from our Planning Commission that he arrange a meeting with Stanton Heights representatives, Garfield representatives and Morningside representatives, Mr. Frank Zappala and whoever else he wants to have here, to address the issues that Mr. Lurcott has addressed in his February 25th letter and the issues that were raised at the hearing which was held yesterday on the 24th.

Also, I am suggesting that this Council verbally set a condition that we concur with the Planning Commission. That until a formal site plan is submitted and approved this project does not move.

Fourth, that Council, because it does have the power to approve any agreements that are eventually signed for this project and any other projects, we will not approve this project until we

get some sort of information from the Planning Commission about the site plan and until we have had an opportunity to fully review this project once it is approved by HUD and once it is approved by the Planning Commission. We do not now have before us what is going to be the final plan. Regardless of what Mr. Zappala says, the people in Washington can change the UDAG. Mr. Lurcott has said this on numerous occasions. This is why I pushed to have a second hearing on all UDAG applications. What we approve is not what we necessarily get. I'm simply trying to find a way to keep this thing from getting out of proportion and getting out of hand. That is simply my recommendation. I think it can be worked out. I'm not asking anybody to etch anything in stone, I'm not asking anybody to go out and get a bunch of lawyers to try to figure it out. I have as much respect for the people in Morningside as anyone at this table. But I also respect the people who live in Garfield and Stanton Height and I recognize there is controversy and that nine of us in trying to resolve that controversy, I think, personally ought to try to be mediators not initiators.

**END - MR. ROBINSON'S REMARKS ON BILL NO. 2532, 2/25/81.**

**MR. ROBINSON'S REMARKS ON BILL NO. 2532 FROM THE MEETING OF WEDNESDAY, MARCH 4, 1981:**

**Mr. Robinson:**

In view of my suggestions when this bill was first introduced I think we have wasted a lot of time getting back to these same points. Unfortunately, Mr. Lurcott and the other persons involved were unable to arrange a meeting at a time and fashion. There was some misinformation I think, that was distributed in the newspaper and on television that was unfair to Garfield,

audience? That's a request from a Councilperson to have an individual here, we don't need a second for that, any one of us can request anyone to be here. Apparently that was not carried through and apparently the developer was never aware of the fact that we would have preferred him here. Anytime that a Councilperson asks, in a Monday session that someone be here, the Chief Clerk notifies that individual and that was not the case. At the public hearing it was so indicated by Director Lurcott and the developer that the excess road was on the map and everything else, they feel very strongly to that and that Mr. Flaherty objected to that, I am just stating the fact.

I would like to indicate that there has been a vote already taken on this particular issue and the fact that I would like to see it moved along as rapidly as possible and the fact that I will attend that 1:00 meeting today and hopefully there can be some results between now and Monday. I move that we vote today, aye.

Mr. Chairman, in that regard, I got somewhat confused in consuming the deliberation of the motion itself. I have the -- I want it to move forward, but at the same time, I want my vote to be recorded as abstaining on the bill itself until such time as I can hear what is going on at this 1:00 meeting.

**END OF MR. GIVENS' REMARKS ON  
BILL NO. 2532, 3/4/81.**

**LETTER TO THE EDITOR OF THE  
PITTSBURGH POST-GAZETTE  
WRITTEN BY MR. MARIO FISCHETTI  
AS REQUESTED BY MR. GIVENS  
UNDER MOTIONS AND RESOLUTIONS:**

Dear Sir:

In your editorial of March 6, 1981,

entitled "Stanton Heights Access Road", you accuse City Council of dragging its feet on approving construction of the new shopping center for no good reason, that it is doing so only because of racially motivated opposition from a neighborhood with political clout (Morningside). You are terribly misinformed and are therefore being grossly unfair to City Council and to those of us in Morningside who are not racist. I think you owe all of us a public apology.

City Council is not dragging its feet, it is taking as much time as it can reasonably buy to study a complex conflict of which racism is one part, but by no means, the whole. I am truly grateful to City Council for having the wisdom to recognize the legitimate concerns of Morningside with regard to the access road above and beyond those racially based and the courage not to buckle under to tremendous pressure to simplify the issue, pressure based in old neighborhood rivalry and conflict and hostility on both sides.

The editorial's explication of Morningside's present position is inaccurate and misleading. I am concerned about the possible failure of the shopping center, not because I fear that crazy hoards of criminally inclined black people are going to tear it apart, but because of the incredible competition presented by suburban shopping centers. This urban based proposed shopping center is being built against a 20 year trend in favor of the suburban variety. Anyone who is not concerned about failure or who won't acknowledge it as a real possibility has to be out of touch with reality. Thus, the possibility of failure of the shopping center can be argued effectively and legitimately on the basis of economics, not race.

The proposed shopping center including the new access road can only help Stanton Heights and Garfield. They have nothing to lose. If the shopping center fails, they are back to "square one." Morningside definitely has something to gain by a successful shopping center, but unlike Stanton Heights and Garfield, it does have something to lose with a failure. The access road makes possible property devaluation that would not occur otherwise. It should be clear that there exists here an inequity that should be addressed. One side has everthing to gain and nothing to lose, the other something to gain and, in addition, something to lose.

Councilman O'Malley's innovative (and perhaps trend-setting) compromise proposal, graciously agreed to Mr. Zappala, corrects this inequity by assuring Morningside that if the shopping center fails, the access road and the connection it provides southern Morningside to that failure will be removed. Now all neighborhoods, including Morningside, have everything to gain and little to lose with a new shopping center.

Councilman O'Malley's compromise proposal should be hailed as a mechanism that will not only allow for the potential economic gain of all, but also allow for the minimization of potential losses for those that have the most to lose. Councilman O'Malley's proposal is a model of constructive compromise in a conflict situation where both sides have legitimate and seemingly irreconcilable needs.

Morningside thanks the Post Gazette for endorsing the compromise, but we ask you to endorse it for the legitimate reasons for which it was created, not for the sleazy reasons you imply in your editorial. Those who have

the need to see racist motivation everywhere will never be appeased. However, I suggest that City Council and all of us can be proud of this compromise and excited by the ingenuity, flexibility, creativeness, and spirit of mutual caring and concern it represents.

Sincerely,

Marion Fischetti  
1626 Morningside Avenue  
Pittsburgh, PA 15206

**END - MR. FISCHETTI'S LETTER TO EDITOR.**

**The Chair:**

Is there any further discussion on the bill itself?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson:**

Mr. President, I would also like to have included in the record, the original letter that Mr. Lurcott forwarded to the Council which addressed what appeared to be at that time the various problems.

**MR. LURCOTT'S LETTER ADDRESSING**



**VARIOUS PROBLEMS REGARDING  
STANTON HEIGHTS SHOPPING  
CENTER:**

25 February 1981

President and Members of Council  
City-Council  
414 Grant Street  
Pittsburgh, Pennsylvania 15219

Dear President and Members of Council:

At the Public Hearing on Tuesday, February 24, regarding the Stanton Heights Shopping Center area, the basic objection stated by the Morningside Area Community Council was the construction of a road to serve the Center. However, the data used in the presentation by Dr. Fischetti related to the original site plan proposed by F.R.A. Associates with a through road connecting Stanton Avenue and Mossfield Boulevard. However, in a meeting with Dr. Fischetti's Committee of the Morningside Area Community Council on February 19, the Planning Department and the developer presented a site plan which eliminated the through road and terminated the access road in the Shopping Center parking lot. Therefore, in contrast to the earlier plan, only cars destined to and from the Shopping Center will use it. Based on our traffic consultant's analysis, this will amount to approximately 30 cars, each way on Morningside Avenue during the Friday peak hour of 4:30 - 5:30 p.m. This will add a total of 60 automobiles during the peak hour to the projection of 364 automobiles without the road. With a total of 424 automobiles on Morningside Avenue, both directions during this peak hour, this amounts to a 17% increase. Council will have to decide whether in their judgement this is a significant increase. We feel it is not, especially since these cars will not be through trips but rather Morningside area residents using the Shopping Center (please see

Exhibit B4).

With respect to Dr. Fischetti's charge that no analysis was done concerning the need for an access road, he overlooked the information contained in the Consultant's Draft Report (see Exhibit 18, also attached). As can be seen on this exhibit, 44% of the automobile destined to the Shopping Center during the same peak hour would come from the north and northeast and, therefore, would find a new access road at Stanton and Morningside, of convenience. Please keep in mind that while Exhibit 18 does, in fact, show a through road which is no longer planned, as indicated above, this does not alter the basic market data illustrated on Exhibit 18. I would also draw your attention in Exhibit 18 to the fact that of the 44% of the patrons destined to the Shopping Center, only 9%, or 30 cars would use Morningside Avenue. The bulk of the traffic, or 35%, would use Stanton Avenue. Thus, while Dr. Fischetti may disagree with our conclusions, it was erroneous of him to state that no analysis had occurred.

With respect to Dr. Fischetti's suggestions that the access road be eliminated and that all traffic to the Center be routed via Chislett and Black Streets, please be aware that this would involve a minimum of 8 additional blocks and two traffic signals beyond Morningside Avenue for southbound traffic to gain entrance to the Shopping Center. In a competitive atmosphere, the developer obviously feels that this additional impediment to the access to the Center would reduce customers.

Additionally, it is generally agreed that the Shopping Center could be useful to Morningside and Highland Park and it is estimated that 44% of the traffic would come from the north to the Center. Therefore, the elimination of the Stanton Avenue access road would mean that

nearly half the expected customers to the Center would have to filter through the Stanton Heights and Garfield communities and 100% of the traffic would have to enter the site from Mossfield Boulevard.

Sincerely,

Robert H. Lurcott,  
Planning Director  
RHL/jls  
Attachments

**END - MR. LURCOTT'S LETTER**

**Mr. Givens:**

Mr. President, if I might at this time, I would like to personally thank Mr. O'Malley who with the Morningside Organization and what Tom Flaherty and myself on that Wednesday afternoon, sat down and tried to iron out some of the differences in this particular bill and I think that they are to be commended on it.

**Michelle Madoff:**

Such a cooperative Council, we have improved so much in the last two years.

**Mr. Stone:**

Mr. President, I think that if we stop there it would be totally unfair, I indicated last Wednesday and I would like to repeat my remarks and maybe they should be brought forward. If we are going to give any accolades to anyone on this particular bill, I think it is the professionalism with which Mr. Robinson handled himself on this particular case. Didn't want to steam roll it, put some conditions to try to protect it, unfortunately some of it was misunderstood, maybe purposely or unpurposely, but nevertheless, the way

he did it and the conditions he applied from day one, or from where I saw it, sitting at the end of that table, are to be commended and I think that should be brought out at this time and it ought to always be clear that he never intended anywhere along the line, or made any actions which would tend to run over anybody and he put in conditions which would have given all the protections needed.

**MR. STONE'S REMARKS ON BILL NO. 2532 FROM THE MEETING OF WEDNESDAY, MARCH 4, 1981:**

Mr. Stone:

I don't know that I agree with the thought that not moving on it changes it any, I feel very strongly and I would like publicly to commend Councilman Robinson, I think he handled this thing in a very professional way and I think it is regrettable that some of his good intentions were number one, not understood, and number two, misconstrued. I think he made it out front, very clear when he opposed some conditions on it that I thought were on the right track and I commend him publicly for doing what I thought was a good professional job. I think we ought to, if at all possible, and I totally subscribe to it -- have a working arrangement if we can and I think that machinery is there and I am hoping that today's meeting will solve it.

**END - MR. STONE'S REMARKS, 3/4/81.**

**Mr. O'Malley:**

I would just like to say that I am in total agreement with what Mr. Stone just stated.

**Michelle Madoff:**

And I think that all of Council felt

that way, so if you want to bring all of our comments forward we can write a book and I would like to sell it for fifty cents a copy.

**The Chair:**

I'd like to make a comment and say that I was for the ordinance at the start without any strings attached.

Also,

Bill No. 2645

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U. S. Department of Transportation for a grant in connection with the Comprehensive Transportation System Management Assistance Program; creating a Special Trust Fund in connection with the Grant; providing for the authorization to enter into an agreement or agreements to receive the grant funds and to implement grant projects."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Depasquale (Pres't)

AYES 8

Noes none

And a majority of the votes of Council being in the affirmative the bill passed finally.

Also,

Bill No. 2646

Resolution entitled, "Resolution amending Resolution No. 44 of 1976, as previously amended by Resolution Nos. 290, 446, 820 of 1976; and by Resolution Nos. 319, 461 of 1977; and by Resolution No. 241 of 1978; and by Resolution No. 1202 of 1980, so as to decrease several Model Neighborhood Program line items and reallocate monies to the Unspecified Local Option line items."

Which was read.

Also,

Bill No. 2647

Resolution entitled, "Resolution amending Resolution No. 319, effective May 27, 1976, entitled, 'Providing for an Agreement or Agreements with the Hill House Association for the operation of the New Opportunities for the Aging Project', so as to decrease the amount appropriated from \$100,000.00 to an amount not to exceed \$96,604.18."

Which was read.

Also,

Bill No. 2648

Resolution entitled, "Resolution amending Ordinance No. 372, approved July 21, 1975, as previously amended by Ordinance No. 458, approved August 20, 1975; Resolution No. 714, effective October 1, 1976, and by Resolution No. 1311, effective December 31, 1977, so as to further decrease the amount authorized from \$526,048.60 to

\$524,230.35."

Which was read.

Also,

Bill No. 2649

Resolution entitled, "Resolution amending Resolution No. 574, approved July 27, 1976, entitled, 'Providing for Agreements or use of existing Agreements, for personal or professional services and/or contracts for implementing the 1976 Community Development funding for Model Neighborhood Program (CDMNP), Recreational/Cultural Programs', so as to decrease the amount allocated from \$70,000.00 to a sum not to exceed \$69,989.74."

Which was read.

Also,

Bill No. 2650

Resolution entitled, "Resolution amending Resolution No. 320 of 1976, as previously amended by Resolution No. 318, effective April 28, 1977, entitled, 'Providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Mini-Bus and Reduced Fare Project' so as to decrease the amount appropriated from \$340,000.00 to an amount not to exceed \$339,967.52."

Which was read.

Also,

**Mr. Robinson:**

Mr. President, I would like to have bills 2646 through 2650 returned to committee so I can get some different information from the Planning

Department relative to our new bus project.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Bill No. 2651

Resolution entitled, "Resolution amending Resolution No. 318, effective May 27, 1976, entitled, 'Providing for an Agreement or Agreements with Montefiore Hospital of Western Pennsylvania for the operation of the Comprehensive Dental Project', so as to decrease the amount allocated from \$240,000.00 to an amount not to exceed \$224,470.00."

Which was read.

Also,

Bill No. 2652

Resolution entitled, "Resolution amending Resolution Nos. 662, 765, and 904 of 1976, entitled, 'Providing for a Contract or Contracts for the purchase of materials, supplies and equipment in connection with the Homewood Branch and Lawrenceville Branch Carnegie Libraries', so as to repeal Section 1 of Resolution No. 662 and further to decrease the amount allocated to the Homewood Branch from \$9,000.00 to \$8,996.00. (Project Number 4-40-05-1028-76-907-76-25)."

Which was read.

Also,

Bill No. 2658

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of

Pittsburgh and Edith M. Simonds for the sale of Parcels 71, 72, 73, 115B, and 115C in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2659

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and George L. Wilson & Company for the sale of Block 8H, Lots 156, 155 and 148 in the Twenty Second Ward of the City of Pittsburgh in Redevelopment Area No. 39."

Which was read.

Also,

Bill No. 2660

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert E. Sizemore for the sale of Block 125D, Lot 64 in the Twelfth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2763

Report of the Committee on Supplies for March 4, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also with an affirmative recommendation,

Bill No. 2686

Resolution entitled, "Resolution providing for an Agreement or Agreements with the City of Pittsburgh Equipment Leasing Authority for the transfer of title to City-owned vehicles to the Authority."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Givens:**

Mr. President, I have a little bit of concern on this bill which I didn't address on the Wednesday session. This is the bill with the Mayor and the Director of Supplies on behalf of the City of Pittsburgh and their agreements that will be addressed by the Solicitor of the City

of Pittsburgh, giving the leasing authority custody of all of our vehicles and I am looking at the Water Fund wherein money is derived from the Water Fund as money will be derived from these particular vehicles when they are sold by the leasing authority and just wondering if the City of Pittsburgh can receive any credit for these vehicles in regard to our total assets within the City of Pittsburgh and that is a technical question, it is a legal one and maybe someone can expound on what I am trying to --

**Michelle Madoff:**

It goes in the General Fund doesn't it?

**Mr. Givens:**

Well it is from the General Fund to an authority, it is from the General Fund to the Water Fund, so there is something here, I am just wondering, like the City, when someone comes down to address our assets and our liabilities as audited by the Controller, as audited by the State Attorney General, I mean the Auditor General, I am just wondering if some way or another when the Solicitor drafts up this particular agreement and maybe I can give this to our Council here today, if you would take my concerns back to the City Solicitor and have him research it as to whether or not the City of Pittsburgh can gain anything monetarily as far as at least a paper transaction, as credits for giving this to an authority. Once we give this to an authority, that is an autonomous body outside of the actual City of Pittsburgh itself, government.

**Mr. Stone:**

Mr. President, maybe you ought to just make some distinctions first if I may. Relative to our leasing authority,

it is not the same kind of authority as the other ones, the U.R.A., or we don't have a water authority, but even that is a separate department that functions totally separate. This leasing authority is nothing more than a way to do indirectly what we cannot do directly. It is like a Peter and Paul arrangement, you are taking from Peter to pay Paul. They need the vehicles over there for a transfer. What Mr. Givens is making ordinarily an accounting process, that is accurate, when you are going from person (a) to person (b), there should be a sale kind of item because you are dealing at arm's length. But that I think is the key.

Relative to the leasing authority it is not at arm's length, it is as I had indicated earlier, a kind of robbing Peter to pay Paul because what is going to happen is these funds will be there, give us a greater ability to turn the vehicles around, which are going to be on the City's ownership, we will pick that up. That is the ability here that I think they need. The point he is making, as I say, is an accounting factor, it is probably accurate but in this particular venture I think when you are understanding the leasing authority it is not a separate -- they are not going to spend it for anything else but for City vehicles and that is a device not an authority. It gives us an ability to borrow money, to make money and invest it which we can't do otherwise, but it is getting the vehicles back to the City of Pittsburgh, so it is really the same dollars in fact.

**Mr. Givens:**

Mr. President, if the Chief Clerk would in fact communicate to the Solicitor my concern in this particular area and if we could get a reply back from the Solicitor that would satisfy my curiosity.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 2764

Report of the Committee on Parks and Recreation for March 4, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2636

Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering, or other professional services at Phipps Conservatory, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2637

Resolution entitled, "Resolution authorizing a Sixth Amendment Cooperation Agreement for the Manchester Redevelopment Project providing for the updating of financial arrangements."

Which was read.

Also,

Bill No. 2638

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the purchase or rental of equipment or services; or construction; or Agreements for same, in connection with performances at Point State Park, by the Pittsburgh Symphony; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2639

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the purchase or rental of equipment or services; or construction; or agreements for the same, in connection with performances at Point State Park, by the Pittsburgh Symphony; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2640

Resolution entitled, "Resolution providing for the letting of a Contract or Contracts for the Construction of Paulson Swimming Pool; and providing for the payment of the cost thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Mr. Flaherty presented

Bill No. 2765

Report of the Committee on Lands and Buildings for March 4, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2627

Resolution entitled, "Resolution providing for a contract or contracts or

the use of existing contracts in connection with Renovation of Various Public Buildings and providing for the cost thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

##### Mr. Robinson:

Mike, on February 26, 1981, I requested that the City Clerk forward a letter to Mr. Mulvihill in reference to Council bill 947. Mr. Mulvihill sent a response back on February 27, 1981. I think perhaps there is some misunderstanding on Mr. Mulvihill's part as to what information I was requesting. I would like to have another letter go to him and this is in reference to Council bill 947 which is supplementing the Pittsburgh Code by adding Chapter 173, Environmental Commission. I would like Mr. Mulvihill to please identify the constitutional



issues which he feels are involved in reference to his comments that this bill was constitutionally infirmed. Also, I would like Mr. Mulvihill to advise this Council as to in what ways can this bill be made whole or constitutional and also Mr. President, I would like to you to consider the utilization of outside legal assistance if Mr. Mulvihill is unable to handle this particular assignment.

**Michelle Madoff:**

Is that a second or just a request Bill?

**Mr. Robinson:**

It is a request.

**Michelle Madoff:**

May I ask you a question? Do you think it might be appropriate, because I read that letter and I know exactly how you feel, would it be appropriate to have Mr. Mulvihill come here and be questioned at a Post Agenda because I see no reason why that committee should not have been started ages ago.

**Mr. Robinson:**

Fine with me.

**Michelle Madoff:**

Did you know there was another committee that started in competition with that committee?

**Mr. Robinson:**

I have no knowledge of it.

**Michelle Madoff:**

Well, there is one, there was \$150,000 granted by a Washington based group when the Mellon Foundation essentially do very much the same thing

and I just wonder whether we ought to get this thing out in the air and straighten it out.

**The Chair:**

Have Mr. Mulvihill come up here.

**Michelle Madoff:**

Do you want to have him here at a Post Agenda or not?

**Mr. Robinson:**

I believe Mr. Perry has made arrangements for Mr. Brophy who is the Mayor's representative on the Committee that you are referring to, has made arrangements for him to be here on March 11th if I am not mistaken.

**Mr. Perry:**

Right.

**Mr. Flaherty presented**

No. 2766 WHEREAS, the Pittsburgh Building Construction Industry Administrative Committee for Research, Education and Training, Incorporated also known as the Pittsburgh Plan, which is a voluntary placement and training program for the construction industry and craft unions; and

WHEREAS, the Pittsburgh Plan has been responsible for the satisfactory placement for over 1,500 females and members of the minority community for training in the construction and craft unions; and

WHEREAS, the Pittsburgh Plan is now threatened by budgetary cutbacks within the Department of Labor,

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh hereby urges the United States Department of Labor to reconsider funding the ever worthwhile Pittsburgh Plan in order that it may continue its valuable work.

Which was read.

**Mr. Flaherty** moved for approval.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Question. How are we going to do this? In what way would you like this done, would you like a letter from the Clerk?

**Mr. Flaherty:**

Yes.

**Michelle Madoff:**

Do you want a letter on your stationery? Do you want it from the President of Council, which I think would carry the most clout, indicating that --

**Mr. Flaherty:**

I believe the most clout would be carried if it were put on Council stationery with the President's name at the top and all members of Council.

**Michelle Madoff:**

Fine, I just wanted to know what mechanism you wanted.

**Mr. O'Malley presented**

No. 2767 WHEREAS, welfare reform is a very complex issue effecting both the recipient and the taxpayers; and

WHEREAS, Governor Richard Thornburg and the Republican leadership in the State Legislature has seen fit to introduce and promote misconceived legislation which will remove all so called "able bodied recipients" from General Assistance; and

WHEREAS, General Assistance serves as a subsistence cushion for those who are unable to secure steady employment; and

WHEREAS, this legislation makes no adequate provisions for those removed or for the other 476,000 unemployed citizens of Pennsylvania; and

WHEREAS, it is the sense of this Council that such a major change in our assistance policy and philosophy requires more care and detailed study by all sectors of society;

NOW, THEREFORE,

BE IT RESOLVED, that House Bill No. 363 and any similar legislation which substantially changes government assistance programs should be considered only after public hearings across the state; and

BE IT FURTHER RESOLVED, that this Council opposes House Bill No. 363 as written and requests that the Governor and his supporters have this bill recommitted for further discussion.

**Mr. O'Malley** moved for approval.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

How do you want it done Mr. O'Malley? What form do you want it to take? How do you want the message to

get to Harrisburg? In a letter of the same form, do you want the President write a letter and we all sign it?

**The Chair:**

We'll send them the whole resolution.

**Mr. Stone:**

Mr. President, with the maker and the person who made the second's consent, I agree totally with the thought that is behind this letter. I kind of have some shortcomings relative to the draftsmanship of it, and as long as it keeps that thought, if no one has any objections, I would give the maker of the motion an opportunity to change some of the words but still come back with the basic thought but it be passed at this time, does anyone have any objections to that?

**Mr. Flaherty:**

What's that?

**The Chair:**

Mr. Stone will get together with Mr. O'Malley and maybe make a couple of changes.

**Mr. Stone:**

Pass it now but just change some of the language.

**Mr. Flaherty:**

Fine, if that is okay with you Councilman O'Malley.

**Mr. O'Malley:**

Yes Councilman Flaherty.

**Michelle Madoff:**

Nobody is married to their words.

**Michelle Madoff:**

Mr. President, I have a very important item to bring before Council and it is not my intention to usurp. Sophie Masloff, I did fleetingly touch base with Councilman Stone, he was aware of the problem, I became aware of the problem quite inadvertently -- because I think Sophie has done an outstanding job and has taken --

**Mr. Stone:**

Sophie told me about it last Thursday, that is how I found out about it.

**Michelle Madoff:**

Well I found out from Mr. Campbell. Let me just tell the story and then we can take it from there. I think Sophie has done an outstanding job with Cable --

**The Chair:**

Besides the outstanding job that Sophie did, what are we talking about?

**Michelle Madoff:**

Okay, what we are talking about Sir, I just didn't want Sophie jumping all over me -- it appears that our present contract, and when I finish, perhaps Sophie can enlighten us a little bit. The present contract for Warner Cable to install the Cable line for the City is based on X number of footage a year, I think it is 200 some miles, use of poles, which would take us I think the three years that they are committed to. It turns out now that because of the accelerated training program and because of efficiency, Warner is able to go ahead and finish the installation of

Cable in two years. The telephone company is chomping at the bit, Warner is chomping at the bit and the loss to the taxpayers of this City is astronomical. The kind of money that we can be receiving because it goes in earlier because we would be receiving the money --

**Mrs. Masloff:**

You are getting your money anyhow because Warner pays a year in advance, so that we get the money no matter when it gets installed --

**Michelle Madoff:**

Yes, but it is always a year in advance and if it is a year later, that is one year we loose.

**Mrs. Masloff:**

No --

**Michelle Madoff:**

I mean it has to be that way, that is mathematics.

**Mrs. Masloff:**

No, it is a fifteen year contract and every single year Warner pays each year. If we don't get that kind of revenue then we will have to pay it back in the last seven years of the contract, so that we don't lose a dime.

**Michelle Madoff:**

Well according to Mr. Campbell we are losing more than a dime, we are losing substantive thousands of dollars, because he would like to have the line in -- they can get the lines in in two years, it seems that Duquesne Light is saying, "We are not very cooperative, we will do it at our pleasure, we don't have the

people", and I would like to request that Mr. Campbell come before this Council, Brother Richard I understand is taking the position that of, "Well, they only have to do 200 some feet so I'm not interested", I would like Council to be personally informed at a Post Agenda by Mr. Campbell, by Duquesne Light, by the telephone company, and by Brother Richard as to what we can do to expedite and if what Mr. Campbell said is really true. He asked me to call Duquesne Light. I presume he wasn't saying that and he wasn't saying that there was a problem with dollars to the City if it wasn't true and so there is some confusion here and I think that perhaps Sophie might organize this meeting and have a briefing for Council.

**Mrs. Masloff:**

I have been aware of the problem, but Mr. Campbell told me as recently as a week ago that he didn't think we ought to go public with Duquesne for fear it would do more harm than good and he was trying to work something out. If he hasn't been able to that is another thing, but he told me he didn't want to go public because he felt it would do more harm than good.

**Michelle Madoff:**

Well he told me he did want to go public now because he had exhausted every other avenue and that he said it is also a matter of public record in the minutes of the meetings of the Cable thing, so it is not something that wasn't public already. Someone can go back and get those minutes.

**Mr. Givens:**

Sophie, I was aware of that same problem but I have to go along with Sophie, I think that until any party comes to this Council and requests such action that we should leave private enterprise

work out their own problems.

**The Chair:**

Yes, we are getting away from our own business.

**Michelle Madoff:**

It isn't private enterprise, I'm sorry. That is our tax dollars and Lord knows we are going to need them.

**Mr. Stone:**

I think we ought to inquire if Warner can move faster, then we ought to give him what assist there is, but I think first we ought to see whether they can resolve it themselves. I am just speaking, not from the money end, even though I am the Finance Chairman, I would like to see my television a little bit better, a little bit earlier, so if there is any way we can do it we ought to do it.

**Michelle Madoff:**

Well how do you propose to do that? Do you have any objections to having Warner and Duquesne Light and the people here? I would like to hear from them.

**Mr. Stone:**

Michelle, pardon me, I think that in a general sense we tend to pretend we are helping people by getting them at this table, I think we have to let some of the give and take go a little bit and then after that if they can't move it we will give them a little nudge, but I think it is a little premature yet.

**Michelle Madoff:**

Okay, I am reporting to you in good faith, and you will have to accept that as

good faith. When I saw Mr. Campbell he said to me that he had already gone the other route and it got to the point of no return. That the telephone company was supporting them, they were ready, they had gone to the school and trained the people --

**Mr. Stone:**

What was the time of the day you talked to them?

**Michelle Madoff:**

Does that matter? Do you mean did I have a drink or something?

**Mr. Stone:**

Yes, I think that is very important. If that was after business hours that makes a difference.

**Michelle Madoff:**

It was after business hours. I never end after business hours.

**The Chair:**

Okay, we will pass on that for the time being.

**Mr. Givens:**

Mr. President before we close this meeting, I would like to have the letter to the Editor of the Pittsburgh Post-Gazette which was written by Mr. Mario Fischetti also included in the minutes under Planning, Housing and Development regarding Bill No. 2532.

**Mr. O'Malley** moved to approve the minutes of Monday, March 2, 1981.

**Mr. Stone** seconded the motion. Which motion prevailed.

And on motion of **Mr. Robinson** Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MARCH 16, 1981

No. 11

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President

MICHAEL PERRY ..... City Clerk

WILLIAM F. McCRAE ..... Ass't City Clerk

Pittsburgh, PA  
Monday, March 16, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 2768 Resolution providing for the issuance of a warrant in favor of Ellis Real Estate Company in the amount

of \$3,000 in payment for professional services furnished for the benefit of the City in connection with an appraisal of the Air Rights over Cherry Way between 3rd Avenue and 4th Avenue, 1st Ward and an appraisal of the Fee subject to surface easement or dedication to the City of Pittsburgh and providing for the payment thereof payable from Code Account Capital Project LB 78-08.

Which was read and referred to the Committee on Finance.

Also,

No. 2769 Resolution amending Resolution No. 91, approved 2/9/81, authorizing the sale of vacant lot on Quincy Avenue in Mt. Oliver Boro, designated as Block 33-L, Lot 114, to David A. & Victoria J. Porter, his wife, for the sum of \$350.00. Amendment is to transact the sale under Act #514 of 1947.

Also,

No. 2770 Resolution amending Item E of Resolution No. 210, approved 3-6-81, authorizing the sale of vacant lot on Milwaukee Street (5th Ward), B & L 26-K-325, to Maggie Palmer for the sum of \$250.00. Amendment is to correct information re: acquisition of property.

Also,

No. 2771 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 2772 Resolution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 2773 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings requesting interim approval of payment of \$12,560.40 to Thomas DiDiano, Ralph Plumbing and Heating and Solari Electric for extra work in connection with the construction of Sheraden Branch Library/Community Building, to be payable from Capital Project LB 80-05 and CDLB 80-05, Sheraden Library/Community Building, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

No. 2774 Resolution granting unto Crump Incorporated, 470 Mall Circle Drive, Monroeville, PA 15146, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, an electrical vault in a portion of the sidewalk of Sixth Street in the First Ward of the City of Pittsburgh.

Also,

No. 2775 Resolution amending Resolution No. 812, approved August 19, 1980, effective August 25, 1980, entitled, "Providing for an Agreement/s with a Consultant/s for Consulting Services in connection with the surveying of Boundary Street and providing for the

payment of the cost thereof", by increasing the total project allocation from \$15,000.00 to \$30,000.00.

Also,

No. 2776 Resolution amending Resolution No. 310, approved 4/18/80, effective 4/25/80, entitled, "Providing for an Agreement/s with a Consultant/s for Consulting Services in connection with the design of the Golden Triangle Computerized Traffic Signal System (PW-78 16); and providing for the payment of the costs thereof," by increasing the total allocation to Three Hundred Thousand (\$300,000.00) Dollars, payable from PW 78-16 and PW 81-42.

Also,

No. 2777 Resolution further amending Resolution No. 1430, approved 12/29/80, effective 1/1/81, as amended by Resolution No. 166, approved 2/13/81, effective 2/24/81, as amended by Resolution No. 206, approved 2/26/81, effective March 6, 1981, entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program", by adding a new project line item, and redefining the funding sources.

Also,

No. 2778 Resolution providing for a Contract/s for the reconstruction of the Forbes Avenue Bridge over the Baltimore & Ohio Railroad, private property and other work incidental thereto; and providing for the payment of the cost thereof, payable from PW 80-12, Department of Public Works, cost not to exceed \$1,400,000.00.

Also,

No. 2779 Resolution vacating a portion of Naptan Way and Daykin Street



from Sacramento Avenue to the center line of Daykin Street from Sacramento Avenue to the northerly line of Napton Way, 20th Ward.

Also,

No. 2780 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$4,692.69 to Mosites Construction Company for extra work in connectin with the rehabilitatin of Stanwix Street Bridge, to be payable from PW 78-14, Emergency Repairs, Bridges, Department of Public Works.

Also,

No. 2781 Communication from Louis Gaetano, Director, Department of Public Works, requesting amendment of Council Bill No. 2523 dealing with attendance by Messrs. Pugh and Graham of the Pa. Ready Mixed Concrete, Sand and Gravel Associations Seminar, Harrisburg, PA, February 17-18, 1981, by increasing authorized amount from \$800.00 to \$952.08.

Which were severally read and referred to the Committee on Public Works.

#### **Mrs. Masloff presented**

No. 2782 Resolution further amending Resolution No. 899, effective September 26, 1980, as amended by Resolution No. 1310, effective December 17, 1980, entitled: "Authorizing the issuance of a warrant in favor of R. Richard Funk in the amount of \$4,010.00 in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the City without previous authority of law" by decreasing the authorization to the actual amount expended (\$3,960.00 - 75 CDPR).

Which was read and referred to the Committee on Finance.

Also,

No. 2783 Resolution further amending Resolution No. 986, effective August 31, 1978, as amended by Resolution No. 1528, effective December 31, 1978, entitled, "Resolution providing for a Contract/s or the use of existing Contracts for the reconstruction of Cowley Swimming Pool and providing for the payment of the cost thereof", by decreasing the authorization to the actual amount expended (\$269,141.00 - 77 CDPR).

Also,

No. 2784 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$30,000.00 for support trailers for use in connection with renovated U. S. Steel stage.

Which weres everally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley and Mr. Givens presented**

No. 2785 Resolution authorizing the Bloomfield-Garfield Local Development Corporation to implement and expedite the renewal and development of the Penn Avenue retail/residential district, cost not to exceed \$22,500.00, and transfer the sum of \$22,500.00 from the 1981 Community Development Unspecified Local Options, to the Bloomfield-Garfield Local Development Corporation.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. O'Malley presented**

No. 2786 Communication from Robert J. Coll, Jr., Superintendent, Department of Police, requesting permission for Police Inspector Anthony Brozovich to attend Hostage Extraction Seminar, New York, N.Y., March 24-26, 1981, at a cost not to exceed \$395.00, payable from Code Account No. 1454, Education and Travel Expenses, Department of Police.

Also,

No. 2787 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for 12 members of the Department of Fire to attend Structural Fire Protection Systems Seminar, Monroeville, PA April 7, 1981, at a cost not to exceed \$10.00 per person, City owned vehicles will be used for transportation, payable from Code Account No. 1463-1, Education and Traveling Expenses, Department of Fire.

Which were read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 2788 An Ordinance amending and supplementing the Pittsburgh Code, Title Eight, Fire Prevention and Title Ten, Building, by adopting the new Title Eight - Fire Prevention and new Title Ten - Building.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2789 Resolution authorizing the issuance of a warrant in the amount of \$3,990.00 in favor of Wright Demolition & Excavation Company for

payment of contract for emergency demolition and removal of 3 story brick double dwelling located at 1706-1708 Locust Street without previous authority of law, payable from Community Development Building Inspection Demolition Housing Department 80-14 (4-15-10-0005-80-13-80-15).

Also,

No. 2791 Resolution authorizing issuance of a warrant in the amount of \$1,850.00 in favor of Ace Demolition Inc., for payment of a contract for emergency demolition and removal of 2 story frame church located at 7010 Hamilton Avenue without previous authority of law, payable from Code Account - Community Development Building Inspection Demolition, Housing Department 80-14 (4-15-10-0005-80-13-80-15).

Which were read and referred to the Committee on Finance.

Also,

No. 2789 Resolution amending Ordinance No. 19, approved January 24, 1967, entitled, "An Ordinance accepting the dedication of Chatham Lane, 15 feet wide, between Chatham Street and Bigelow Boulevard and the underpass below Webster Avenue, as shown and described in Pennsylvania Department of Highways Drawings for Construction of Route No. 1026, Section 2/B, pages 19 and 23, for pedestrian ramp, opening and naming the same, and also accepting the dedication of four (4) open areas adjacent to Crosstown Boulevard as shown and dedicated in the Urban Redevelopment Authority Plan Drawings 256-P-7 and 256-P-8, and providing certain terms and conditions; all in the Second Ward of the City of Pittsburgh" by deleting the acceptance of the dedication of an open area as set forth in

the Urban Redevelopment Area Plan Drawing 256-P-7.

Also,

No. 2792 Resolution authorizing the URA of Pittsburgh to acquire all of the City's Right Title and Interest, if any, in and to the publicly owned property in the 25th and 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots 46-G-142, 46-J-23, 46-G-232, 23-B-174, 46-G-220, 23-E-347, 23-F-252, said properties having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2793 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Western Wrecking Company and designated as Block & Lot 23-E-348, in the Deed Registry Office of Allegheny County under the RLRF, said properties having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2794 Resolution approving the sale of Parcel 205 (1403 Sheffield Street) in the 21st Ward of the City of Pittsburgh by and between URA and Dierdra Y. Bruce for \$500.00, Redevelopment Area No. 27.

Also,

No. 2795 Resolution approving the sale of Parcels 114B and 114C (1258-1256 Decatur Street) in the 21st Ward of the City of Pittsburgh by and between URA and Laud, Inc., for \$1,100.00,

Redevelopment Area No. 27.

Also,

No. 2796 Resolution approving the sale of Parcel 217 (1113 Fulton Street) in the 21st Ward of the City of Pittsburgh by and between URA and Rachelle M. Robinson and James A. Jackson for \$900.00, Redevelopment Area No. 27.

Also,

No. 2797 Resolution approving the sale of Parcel 77 (1930 Webster Avenue) in the 3rd Ward of the City of Pittsburgh by and between URA and Lucille S. Roy for \$500.00, Redevelopment Area No. 31.

Also,

No. 2798 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission to attend Interstate Highway Funding Meeting, Atlanta, Georgia, March 26, 1981, at a cost not to exceed \$450.00, payable from Code Account No. 1103, Miscellaneous Services, Department of City Planning.

Also,

No. 2799 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend meeting of Pennsylvania Council for Urban Economic Development, Harrisburg, PA, March 31, 1981, at a cost not to exceed \$175.00, payable from Economic Development Planning Program Trust Fund.

Also,

No. 2800 Communication from Edward deLuca, Director, Department of City Development, permission to attend meeting with Economic Development Administration Personnel on Herr's Island

Project, Philadelphia, PA, March 17 or March 23, 1981, at a cost not to exceed \$200.00, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 2801 Resolution providing for the issuance of a \$994.92 warrant in favor of Elizabeth Grossman for automobile damage by a City Police vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 2802 Resolution providing for the issuance of a \$751.06 warrant in favor of Bell Telephone Company for equipment damage by a Bureau of Refuse truck, charging same to Code Account No. 46, Judgments.

Also,

No. 2803 Resolution providing for the issuance of a \$1,551.79 warrant in favor of Bell Telephone Company for damage to underground cables by Department of Public Works employees, charging same to Code Account No. 46, Judgments.

Also,

No. 2804 Communication from Raymond E. Johnson, Deputy City Controller, requesting permission for Frederick Brenner and Barbara Funari to attend two consecutive training seminars at the Hewlett Packard Training Site in Detroit, Michigan from March 30 to April 10, 1981, at no cost to the City.

Also,

No. 2805 Communication from John E. McAllister, Manager, City Information Systems, requesting permission for Messrs. Walkowski, O'Carroll, Atkins and Good to attend 1981 Spring Forum of Honeywell Large Systems Users Association, Washington, DC, April 12-15, 1981, at a cost not to exceed \$1,292.80, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems.

Also,

No. 2806 Communication from Melanie J. Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Gordon Smith to attend Occupational Program Training Institute, Atlanta, GA, April 5-10, 1981 at a cost not to exceed \$600.00, payable from STF No. 2, Employee Assistance Program.

Which were severally read and referred to the Committee on Finance.

### **UNFINISHED BUSINESS**

#### **The Chair presented**

Bill No. 2714

Resolution approving the appointment by the Mayor of John Mullin of 363 South Highland Avenue as a member of the Board of Standards and Appeals for a term to expire June, 1982.

Which was read.

Also,

Bill No. 2716

Resolution approving the appointment by the Mayor of Ms. Oshea U. Perry of 1519 Bedford Avenue as a member of the

Human Relations Commission for a term to expire March, 1984.

Which was read.

Also,

Bill No. 2718

Resolution approving the re-appointment by the Mayor of Edward Walkowski of 221 South Evaline Street as a member of the Zoning Board of Adjustment for a term to expire January, 1984.

Which was read.

Also,

Bill No. 2720

Resolution approving the re-appointment by the Mayor of Leonard Walk of 1223 Bennington Avenue as a member of the Sinking Fund Commission for a term to expire March, 1986.

Which was read.

Also,

Bill No. 2722

Resolution approving the re-appointment by the Mayor of Belinda Davis of 217 Forward Avenue as a member of the Sinking Fund Commission for a term to expire March, 1986.

Which was read.

**Mr. Stone** moved for approval

**Mr. Robinson** seconded the motion.

**The Chair:**

Is there any discussion on the appointments and re-appointments?

And on the question, "Shall the appointments and re-appointments be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the appointments and re-appointments were approved.

## REPORTS OF COMMITTEES

**Mr. Stone** presented

Bill No. 2807

Report of the Committee on Finance for March 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2687

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Trumbull Corporation in the amount of Twenty Four Thousand Seven Hundred Thirty Two Dollars and Eleven Cents (\$24,732.11) in payment for 'Extra Work' furnished for the benefit of the City in connection with the 'B' Program-Rehabilitatin of various streets, park roads, etc., and providing for the

payment thereof."

Which was read.

Also,

Bill No. 2688

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of North American Fencing Corporation in the amount of Twenty-Five Thousand Three Hundred Thirty (\$25,330.00) Dollars in payment for the furnishing and installation of a chain link protective fence furnished for the benefit of the city in connection with the Schenley Park and Panther Hollow Bridges; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2694

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of E. H. Wachs Company, 100 Shepard Street, Wheeling, Illinois 60090, in the amount of \$2,675.00 in payment for Conversion of TM-1 Gate Turner to a TM-3 Gate Turner, including freight charges furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2704

Resolution entitled, "Resolution providing for the issuance of a \$2,972.54 warrant in favor of Raymond K. Jones in full settlement of claim for damage and providing for payment thereof."

Which was read.

Also,

Bill No. 2705

Resolution entitled, "Resolution providing for the issuance of a \$1,432.00 warrant in favor of Johny McLeod in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

### Mr. Givens presented

Bill No. 2808

Report of the Committee on Public Works for March 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2689

Resolution entitled, "Resolution granting unto Charles J. Greve & Company, 717 Liberty Avenue, Pittsburgh, PA 15222, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, an electrical vault in a portion of the sidewalk of Penn Avenue in the First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2690

Resolution entitled, "Resolution vacating a portion of Berger Street from Arnold Street to its northeasterly terminus in the 28th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2691

Resolution entitled, "Resolution amending Resolution No. 523, approved June 12, 1980, effective June 18, 1980 entitled, 'Providing for an Agreement or Agreements with a Technical Services Consultant, for Engineering Services in connection with an Electrical Services Contract, and providing for the payment of the cost thereof,' by increasing the total allocation by Five Thousand (\$5,000.00) Dollars."

Which was read.

Also,

Bill No. 2692

Resolution entitled, "Resolution providing for an Agreement or

Agreements with a Consultant or Consultants for Engineering Services in conjunction with modifications to the Department of Public Works floor plan and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2693

Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in conjunction with the design for recycling of bituminous materials and other related items; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 2809

Report of the Committee on Planning, Housing and Development for March 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2602

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 1st Ward of the City of Pittsburgh owned by Joseph E. and Carol Jonnett and designated as Block and Lot 11-J-173 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

**Mr. Givens:**

Mr. President, I am voting no on Bill No. 2602 and on this bill, I would like my remarks from the Wednesday meeting included in the record.

**MR. GIVENS' REMARKS ON BILL NO. 2602 FROM THE MEETING OF WEDNESDAY, MARCH 11, 1981:**

**Mr. Givens:**

Mr. Chairman, I have been requested by the individual parties in this particular transaction to hold. This individual was put out of town for a number of weeks and did not receive, I guess, the final written communication on this and he had asked that it be held

for two weeks and that he is reconsidering the property at this particular time. I am opposed to approval on this bill at this time.

**END - MR. GIVENS' REMARKS ON BILL NO. 2602, 3/11/81.**

**Michelle Madoff:**

I have a problem here, may I ask Mr. Robinson a question? Did I miss something on 2602, of importance, or should I ask Mr. Givens that?

**Mr. Robinson:**

I don't have any problems with 2602.

**Michelle Madoff:**

Is there some reason why you are voting against? I am just curious.

**Mr. Givens:**

Yes, this individual came forward to me and I think this is where the first level of elected officials that review the Vacant Property Review Committee and as a result the individual said he would like a little bit of time to look into it and straighten out his personal affairs and all I wanted to do is extend him that courtesy for an additional week or two and that was denied this past Wednesday. I am well aware that the individual has received apparently, due notice that he was supposed to be -- what was given on this particular action.

**Michelle Madoff:**

Is this one of the properties that we taking because it is blighted and they haven't maintained their property, is that correct?

**Mr. Givens:**



That's right.

**Michelle Madoff:**

Okay, I just wanted to be sure I understood it, I thought it was something I had missed.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6                      NOES 1  
(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2646

Resolution entitled, "Resolution amending Resolution No. 44 of 1976, as previously amended by Resolution Nos. 290, 446, 820 of 1976; and by Resolution Nos. 319, 461 of 1977; and by Resolution No. 241 of 1978; and by Resolution No. 1202 of 1980, so as to decrease several Model Neighborhood Program line items and reallocate monies to the Unspecified Local Option line items."

Which was read.

Also,

Bill No. 2647

Resolution entitled, "Resolution amending Resolution No. 319, effective May 27, 1976, entitled, 'Providing for an Agreement or Agreements with the Hill House Association for the operation of the New Opportunities for the Aging Project', so as to decrease the amount appropriated from \$100,000.00 to an amount not to exceed \$96,604.18."

Which was read.

Also,

Bill No. 2648

Resolution entitled, "Resolution amending Ordinance No. 372, approved July 21, 1975, as previously amended by Ordinance No. 458, approved August 20, 1975; Resolution No. 714, effective October 1, 1976, and by Resolution No. 1311, effective December 31, 1977, so as to further decrease the amount authorized from \$526,048.60 to \$524,230.35."

Which was read.

Also,

Bill No. 2649

Resolution entitled, "Resolution amending Resolution No. 574, approved July 27, 1976, entitled, 'Providing for Agreements or use of existing Agreements, for personal or professional services and/or contracts for implementing the 1976 Community Development funding for Model Neighborhood Program (CDMNP), Recreational/Cultural Programs', so as to decrease the amount allocated from \$70,000.00 to a sum not to exceed \$69,989.74."

Which was read.

Also,

Bill No. 2650

Resolution entitled, "Resolution amending Resolution No. 320 of 1976, as previously amended by Resolution No. 318, effective April 28, 1977, entitled, 'Providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Mini-Bus and Reduced Fare Project' so as to decrease the amount appropriated from \$340,000.00 to an amount not to exceed \$339,967.52."

Which was read.

**Mr. Robinson:**

Mr. President, on Council Bill 2650, I would just like to indicate that on March 12, 1981 I did hold a public meeting of the Planning, Housing and Development Committee to address some concerns that some citizens had relative to the future of the Loop Bus.

I have in my possession here and I would like the record to reflect a petition with 1,000 signatures and also that 200 people attended that hearing. I would like to have entered into the record a letter from Director Lurcott relative to this matter and I think it addresses some of the concerns that the people had at that meeting.

Also, I would like to have entered into the record a copy of a letter that I sent to Congressman Coyne relative to his support for this particular project.

**LETTER FROM DIRECTOR LURCOTT  
REGARDING BILL NO. 2650:**

12 March 1981

President and Members  
Pittsburgh City Council

510 City-County Building  
Pittsburgh, PA 15219

Dear President and Members:

Since Council authorized interim funding of the Hill/South Oakland Reduced Fare Loop Bus Project in April of 1980, the Planning Department, as directed, has been monitoring the project and working with the community and the Port Authority to determine funding sources for the project beyond its presently scheduled termination date of 30 April, 1981. If you remember, the problem with the continued use of the Block Grant funds was based on the HUD regulations limiting the use of these funds for such public service activities to areas of concentrated physical development which HUD calls Neighborhood Strategy Areas (NSA). Under these regulations, the City cannot simply designate an area as an NSA but must develop a program of concentrated activity and Block Grant Funded support within the designated area. It should be remembered that the City has already expended over \$2 million in Community Development Block Grant Funds to support this program before the more stringent regulations went into effect.

In an effort to obtain funds from other sources to support the program, the City and the Port Authority have submitted an application to the Urban Mass Transit Administration for demonstration grant funds to continue the Loop Bus Project. These funds normally are highly competitive. In the present situation of significant budget cutting, it appears very doubtful that the City will receive such funds.

Inasmuch as we are rapidly approaching the termination date, and, recognizing the support for the Loop Bus Project, we are ready to recommend an additional year of funding of the Loop Bus Project

from the Block Grant Program. We will request that HUD recognize the Crawford-Roberts State Renewal Area as the designated NSA for another year of funding so that the Loop Bus Project can continue under HUD rules. We will be submitting legislation to Council proposing the funding of the project from 1 May 1981 to 30 April 1982 at the same funding level of \$310,000. We are recommending that this sum come from 1980 Unspecified Local Option Funds. If the operating cost of the program during this period rises above the \$310,000 limit, we recommend that the necessary additional funds come from the fare box, or, perhaps, from the Port Authority. During the next few weeks we will be discussing appropriate details with HUD and the Port Authority relative to the NSA designation and funding and operating mechanisms for the program.

The Administration believes that this proposed course of action will maintain the support for this successful urban transit concept while longer term funding solutions are sought.

Should you have any additional questions relative to this matter, please contact me.

Sincerely,

Robert H. Lurcott  
Planning Director  
cc:  
Mayor Richard S. Caliguiri  
David Matter  
Ben Hayllar  
William Russell Robinson

**END - DIRECTOR LURCOTT'S LETTER  
REGARDING BILL NO. 2650.**

**LETTER FROM COUNCILMAN  
ROBINSON TO CONGRESSMAN COYNE  
REGARDING BILL NO. 2650:**

March 16, 1981

Congressman William J. Coyne  
14th Congressional District  
1050 Liberty Avenue  
Pittsburgh, PA 15222

Dear Bill:

I am writing to seek your active, continued support for the Model Cities Loop Bus Project.

You are very much aware, as are other members of Council, of the uniqueness and necessity for permanent funding of this project.

While I know that the current National Administration is anticipating significant reductions in the Urban Mass Transit Program, your support and hard work is still essential.

Any efforts you might initiate would be appreciated.

Your City Councilman,

William Russell Robinson  
Chairman,  
Planning, Housing & Development

WRR/mhd

**END - COUNCILMAN ROBINSON'S  
LETTER TO CONGRESSMAN COYNE  
REGARDING BILL NO. 2650.**

Also,

Bill No. 2701

Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 1214-16 Buena Vista Street, Block and Lots 23-J-313 and 314 in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 2702

Resolution entitled, "Resolution providing for a Contract or Contracts for the reconstruction of streets and lighting for various areas of Pittsburgh's North Side in connection with the UDAG Program; and providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2810

Report of the Committee on Supplies for March 11, 1981, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2723

Resolution entitled, "Resolution amending Resolution No. 778, approved August 8, 1980, effective August 14, 1980, entitled, 'Resolution providing for the letting of contracts for materials, general supplies, and equipment by the several departments of the City of Pittsburgh during the calendar year 1981 and providing for the payment of the cost thereof', by revising the amount requiring advertised bids in order to conform to the terms of Ordinance No. 3, effective January 22, 1981."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 2811

Report of the Committee on Parks and

Recreation for March 11, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative resolution,

Bill No. 2696

Resolution entitled, "Resolution providing for an agreement or agreements with the University of Pittsburgh through the Department of Theatre and Speech in connection with the 1981 Summer Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2697

Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for Architectural Engineering or other professional services in connection with the design of the Pittsburgh Zoo and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone

Mrs. Masloff

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 2812

Report of the Committee on Public Safety for March 11, 1981 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2642

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title One - Administrative, Article I, General Provisions, Chapter 171, Fees, by adding and amending Section 171.02 (Ordinance No. 9, effective April 19, 1979), Fees - Emergency Medical Services."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone

Mrs. Masloff

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

Bill No. 2813

Report of the Committee on Lands and Buildings for March 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2674

Resolution entitled, "Resolution amending Resolution No. 463, effective May 25, 1979, entitled, 'Providing for a contract or contracts for modernization of Elevator 'H' City-County Building - Capital Project LB 78-10, Public Buildings, Access by Handicapped; and providing for the payment of the cost thereof', by reducing total contract cost to an amount not to exceed \$77,870.00."

Which was read.

Also,

Bill No. 2675

Resolution entitled, "Resolution further amending Resolution Resolution No. 586 of 1976, as amended by Resolution No. 821 of 1976, as amended by Resolution 311 of April 11, 1979 entitled: 'Amending Resolution No. 586 of 1976, as amended by Resolution 821 of 1976 by

increasing the amount provided for connection with the Rehabilitation of Fire Stations, and providing for the payment of the cost thereof', by reducing total cost not to exceed \$282,682.33."

Which was read.

Also,

Bill No. 2676

Resolution entitled, "Resolution authorizing the sale of proeprty in the 7th Ward, formerly 20th Ward of the City of Pittsburgh, designated as Block 84-G, Lot 142, to the Port Authority of Allegheny County for the sum of \$26,400.00."

Which was read.

Also,

Bill No. 2677

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act P.L. 787 of 1937, as amended by Act No. 250, approved July 29, 1941."

Which was read.

Also,

Bill No. 2678

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 2679

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 2681

Resolution amending Item (B) of Resolution No. 92, approved 2/9/81, for the sale of vacant land on Colmar Street, 5th Ward designated as B & L 26-F-351 to 356 inclusive; 26-G-20-21, to Hermon J. & Frances E. Hill, his wife, for the sum of \$2,000.00. Amendment is to correct name of former owner.

Which was read.

Also,

Bill No. 2682

Resolution amending Item (D) of Resolution No. 92, approved 2-9-81 for the sale of vacant land in the 5th Ward, Vera, Brackenridge Streets and Whitney Terrace, B & L 10-M-272-274-281-301; 10-M-27-36-37, to Larry M. Johnson for the sum of \$800.00. Amendment is to correct spelling of former owner's name.

Which was read.

Also,

Bill No. 2683

Resolution amending Item (D) of Resolution No. 133, approved 2/17/81 for the sale of 4 lots on Daniel Street in the 16th Ward, designated as B & L 13-S-149, to Michael R. & Janice C. Galloway for the sum of \$2,000.00. Amendment is to

correct Block number.

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

### The Chair presented

Bill No. 2814

Communication from Richard S. Caliguiri, Mayor, submitting the name of Betty Pickett as a member of the Minority Business Review Committee for a term to expire April 1, 1982.

Which was read, received and filed.

Also,

Bill No. 2815

Resolution approving the appointment by the Mayor of Betty Pickett of 355 Fifth Avenue as a member of the Minority Business Enterprise Review Committee

for a term to expire April 1, 1982.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2816

Communication from Richard S. Caliguiri, Mayor, submitting the name of John Gabriel as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read, received and filed.

Also,

Bill No. 2817

Resolution approving the appointment by the Mayor of John Gabriel of the 9th Floor, City-County Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2818

Communication from Richard S. Caliguiri, Mayor, submitting the name of Alan Bouffard as a member of the Minority Business Enterprise Review

Committee for a term to expire April 1, 1983.

Which was read, received and filed.

Also,

Bill No. 2819

Resolution approving the appointment of Alan Bouffard of the 3rd Floor City-County Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2820

Communication from Richard S. Caliguiri, Mayor, submitting the name of James Simms as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read, received and filed.

Also,

Bill No. 2821

Resolution approving the appointment by the Mayor of James E. Simms of 517 City-County Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read.



**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2827

Communication from Richard S. Caliguiri, Mayor, submitting the name of Regina Young as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read, received and filed.

Also,

Bill No. 2823

Resolution approving the appointment by the Mayor of Reginald Young of the 7th Floor, Public Safety Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2824

Communication from Richard S. Caliguiri, Mayor, submitting the name of Gloria Fitzgibbons as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read, received and filed.

Also,

Bill No. 2825

Resolution approving the appointment by the Mayor of Gloria Fitzgibbons of 200 Ross Street as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2826

Communication from Richard S. Caliguiri, Mayor, submitting the name of Annie Blackwell as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read, received and filed.

Also,

Bill No. 2827

Resolution approving the appointment by the Mayor of Annie Blackwell of 2004 Federal Building, 1000 Liberty Avenue, as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also

Bill No. 2828

Communication from Richard S. Caliguiri, Mayor, submitting the name of John Adams as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read, received and filed.

Also,

Bill No. 2829

Resolution approving the appointment by the Mayor of John Adams of One Oliver Plaza as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 2830

Communication from Richard S. Caliguiri, Mayor, submitting the name of Bernard Liff as a member of the Board of Standards and Appeals for a term to expire June, 1982.

Which was read, received and filed.

Also,

Bill No. 2831

Resolution approving the appointment of Bernard Liff of 317 S. Dallas Avenue as a member of the Board of Standards and Appeals for a term to expire June, 1982.

Which was read.

**Mr. Stone** moved to hold for two weeks.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President, on the appointees to the Minority Business Enterprise Review Committee, I think first of all that the Mayor has made some outstanding selections, especially those in the private sector but I think there are some questions that perhaps Council needs to address prior to taking some final action.

I have some concerns about the terms of office. It appears that the persons from the private sector have one year terms and the persons from the public sector have two year terms and I think it might be appropriate for Council to forward a letter to the Mayor requesting that he might make some alternations so that some of the persons from the private sector might have two year terms and some of the persons from the public sector would have one year terms.

Also, I would like to know, and this should be a part of the letter, whether or not the persons who are serving on this committee are serving in their professional capacity or as private citizens. I noticed that all of the persons who were serving from the private sector were listed at their business addresses. I think that information was particularly relevant to Council in terms of assessing the individuals qualifications and whom those individuals would be representing, and if we could have that information prior to any kind of final vote I think it would be very helpful.

**The Chair:**

You'll get that information Mr. Perry?

**Mr. Perry:**

Yes sir.

**Michelle Madoff:**

I have a question Mr. President, again, Mr. Perry is to schedule a hearing or a Post Agenda that both you and I had requested with reference to the opinion by the legal department that we did not have to maintain the grandfather clause of the buildings before 1947 and that indeed this Council has a right to make them come up to what we feel would be safe in light of all the fires going on around the country.

Now we know in the new BOCA Code, and before the BOCA Code, all the new buildings such as Dravo, etcetra, PPG, are putting in the finest simply because they don't want to get sued and because the BOCA Code is coming down. I am not sure, because frankly I have not addressed those 200 pages of the BOCA Code, but it seems to me from everything I have heard, that the BOCA Code does not address any of the grandfathering. In other words they leave it as it is and it does not take into consideration the fact that this Council seems to have a feeling, in some instances, more than just have a smoke alarm, especially when there is no other exit to the building. Mr. Robinson tells me that that is one of the reasons he has scheduled a hearing on the BOCA Code and hopes to address it at that time, is that correct? Or are there going to be two separate hearings?

**Mr. Robinson:**

No, what I indicated was that the

reason that I did not ask to have Rule 8 waived was to give members of Council additional time to review those 200 pages that you mentioned and that I was going to recommend to the President of Council once that goes into Committee that he set a public hearing so that we can get more detailed information on the Code.

**Michelle Madoff:**

Well the reason I am concerned is that I had already asked Mike Perry some time ago to set up a hearing, we had all agreed that we would have one, there is a Post Agenda, probably is a hearing because I have now had a number of people who live in buildings who are concerned about their safety, people who are tenants, and I know that the Apartment Builders Association is very up in arms about any costs or burdens that we may be putting on them and we had thought perhaps about some alternatives, maybe recommendations that, since fires are occurring, major fires around the country, there might be some kind of tax incentive to lessen the burden and I wonder if we ought not to go ahead with our hearing anyway, separate and apart because the BOCA Code is going to have so many things in it Bill, you know, there are 200 pages and I think this is so important that we ought to continue and do it separately, would you have any objections?

**Mr. Robinson:**

The President of Council is the Chairman of the Hearings Committee and if he sets up a hearing on this matter then I certainly will be there.

**Michelle Madoff:**

Well, I know that the President shares my concern because we have talked about this many times in Council and what I would like to see if nobody

has any objections, is perhaps at Wednesday's meeting if we could have the Chairman who is heading the Review Committee, just tell us whether that item has been addressed in any way and then if not, we just go ahead and set up a hearing of our own on that particular specific item, the grandfathering of the old buildings, the buildings before '47, because we do know that the smoke alarms are going to apply to all buildings no matter what age they are, they are not exempt in that issue. It would be fire escapes, sprinklers, or whatever safety measures. When you have buildings that only have exits through the lobby and have had fires and no other way out of that building I think we have a responsibility not to wait and the reason that has been held up is partially my fault, Sophie is cold, I blame you Sophie, and I was supposed to be going on that trip to Germany and Bill Copeland got married and we haven't had a meeting on it yet, so I just think we will go ahead and schedule the Post, or subject to the President of Council. Is it your wish Mr. President that we have somebody here from the Committee to brief us on Wednesday as to whether that is indeed covered or not?

**The Chair:**

Yes.

**Michelle Madoff:**

To give us some idea on what the 200 pages cover. It is going to take me some time to review them and I want to have some experts go over them. Some people in the zoning business, I would like some attorney friends to review it.

**The Chair:**

Okay.

**Mr. Stone:**

Mr. President, if I may, we had a discussion last week and I think there was a long article in yesterday's paper relative to Cable TV and the Warner contract. Last week we indicated that it might be better at least, before coming public with it, that the private industry have an opportunity to negotiate that on their own. Thereafter the Chairperson of Cable TV, Sophie Masloff and I were called to look into this thing, she, from the end of Cable and mine from the end of Finance, since that thing did come up and need some investigation.

On March 11, 1981, last Wednesday, we had the opportunity to meet with Mr. Campbell and his entourage group of people including but not limited to his construction people and they indicated the kind of severity of the problem as to where it was, indicating that in order to make their particular operation operate, there are some 9,900 telephone poles in the City of Pittsburgh, some owned by the City of Pittsburgh, some by Bell and some by Duquesne Light. Duquesne Light at that time had some 199 of them and that is a small percentage of all, but regrettably they were in critical or crucial areas, and indicated that it might reach the proportion that we would be delaying the opportunity to get 100 new jobs and some money considerations would be down the line. The question was getting to a point as to whether or not, not only would they not be able to keep up with where Warner is today, but rather whether we would even meet those minimums as is called for in the contract.

With the information that we received, we then called and met because we thought that the other party ought to be informed and on last Friday, March 13, 1981 we had the opportunity to meet with the Duquesne Light people concerned with construction and engineering and installation and during

the course of that we found a lot of truth to the allegations that were made by Warner in the sense that what they had indicated out of the amount of poles that were presented that they at the time that the report was made for us on March 11, 1981, that they had only received made ready poles, roughly seven of them, they indicated however that there were others that were going to move slightly more quickly. They admitted to having some accounting problems which they said they had resolved, they thereafter got into the matter of engineering and this now seems to be the great hang-up as far as their company is concerned. To train someone outside they indicate would take one to two years. We then got into the matter of how many engineers do they have and should they not be putting them into overtime and attempting to move this situation.

Councilperson Masloff and I made it extremely clear that we still felt, and this Council felt that private industry ought first to be able to resolve their own differences before City Council would be involved in it. We did however tell them that if they could not iron it out then it would have to come to City Council for a public hearing so that all parties would hear of it because then we would have an interest, one, because as Councilperson Masloff indicated that she was concerned as Chairman, she had promised that Cable TV would be forthcoming and wanted it at least no later than what we have been promised and hopefully as early as it might be. Secondly, the concern was, in this one, that since Warner will be making more money, the faster we install, since Duquesne Light will be making more money, the faster they install, since the City of Pittsburgh will be making more money the faster it is installed, we all have a financial interest in seeing that this thing is accomplished immediately

and with as much dispatch as possible.

After our meeting, and we were very candid with everyone, without attempting to take sides in the issue, still trying to maintain a sense of balance, and made some suggestions, and I am happy to report at least some progress and that was after our meeting over this particular weekend and there were some extra crews put into the field, and rather than working all over the City they were working on the major super trunk line which is essential to this particular system, they requested and got from Warner the okay for overtime not only to Duquesne Light but to Bell Telephone and also to the City of Pittsburgh. At one point to show their good faith, Warner Cable had passed a check of \$225,000 in advance to show their good faith in wanting to get this thing done.

As I have indicated, we again reminded them that this was a matter for private industry to resolve, but they must certainly realize that since 1982 may be a rather fiscally restrained program for us that obviously we are concerned in getting money for that particular year. I have been informed that the parties will be meeting now as a result of these meetings we had, at 3:00 p.m. today and hopefully private industry among themselves will be able to resolve it.

I just got a letter from Warner, at our request, it was just handed to me about 10 minutes ago, indicating that if Warner Cable Corporation of Pittsburgh is unable to move ahead in a timely fashion to construct its system, owing to the failure of the utility company to clear the necessary utility poles for cable use, the City of Pittsburgh would stand to lose substantial revenues. More specifically, assuming we were permitted to move ahead with our schedule, and I

might add that Warner is much further ahead than was originally thought, the City could realize as much as an additional one million dollars or more in franchise fees revenue for the period of 1981 to 1983. This was coming from the President of Warner per our request.

At any rate, I would like to believe that we were able to move it slightly, I hope that we would not have to have a public hearing, but we will see what private industry does among themselves and at that time maybe they will resolve it and we can give the citizens of the City of Pittsburgh, as Councilperson Masloff has indicated, TV, not when we promised it but when they wanted it which was last year, but maybe as close and as early as possible.

#### **Michelle Madoff:**

Mr. President, I believe almost identically what Mr. Stone has said today, except the fact that he had met with the people, I had met with Mr. Campbell, I raised it the other day and I was jumped all over as this should be something that should be kept between the private parties.

I think there are two issues that Mr. Stone has not covered and I think that since he felt while it isn't proper for me to do what he just did, since he already did it, I'll go back to doing it again, and that is that not only do we have the quid, quo, pro opportunity, there are things that this City does for Duquesne Light that we can hold off on pending their being more cooperative, that is number one, if we get to that point, and two, one of the suggestions that Mr. Campbell made that I have not heard Mr. Stone refer to, is that the thing that is holding up — one of the major bottlenecks is the approval of the poles from an engineering point of view. I think he touched on that. There

are people who are former employees of Duquesne Light who are approved by Duquesne Light who are approved by Duquesne Light who know their business in engineering and poles, that Warner is willing to hire. That would certainly expedite matters and perhaps save a lot of time and that is one area I hope they will be discussing this afternoon.

My intention, I presume as was Mr. Stone's today, is to touch on it, to bring Council up to date on it as to what was happening. The reason Mr. Campbell I presume, spoke to me about it was that I have had dealings with Duquesne Light for ten years on environmental issues and had some good luck in getting them to actually set examples of leadership in this community. I was going to speak to Mr. Stanley Scheaffer and to the President of the Board, but as it stands right now I'll let it ride. I think that one point might be worthwhile, that is to pursue Mr. Campbell's objectives and that is of having the engineers who are approved by Duquesne Light who are former employees who are willing to take on the job, expedite the issue.

#### **The Chair:**

My only concern personally is if the City of Pittsburgh is losing any money and I understand we are not, so it is their prerogative to work out their problems. Obviously we would like to see the City of Pittsburgh have their TV as soon as possible but that is not our fault. The City is getting their revenue and that is all that concerns me and I understand we are getting it.

#### **Michelle Madoff:**

We are losing potential money because we have such a tight budget this year that if there is extra revenue that we could get and if Warner is ready to move as Mr. Stone said, why should we

let Duquesne Light just take its sweet time when we do all kinds of things for Duquesne Light as City.

**The Chair:**

I appreciate that, I don't know about the rest of Council, you people are trying to make peace, but from what I read in the paper they are miles apart and that is going to be a problem for them to figure out. Duquesne Light and Warner Cable.

**Michelle Madoff:**

Well I think it is going to be a problem for this Council to figure out because we can vote no on some of the things that Duquesne Light wishes to have.

**The Chair:**

We can get involved in all private industry problems or we can try to solve all --

**Michelle Madoff:**

I don't think that is private -- first of all Duquesne Light is not a private industry.

**The Chair:**

Well, from what you and Mr. Stone are telling me we should be solving private industry's problems. And Cable TV is just as much private industry as U. S. Steel or anything else.

**Michelle Madoff:**

Not exactly in the same category.

**The Chair:**

Yes it is.

**Mr. Stone:**

Mr. President, just in a bit of fairness to Duquesne, we tried to handle this with some balance as I indicated, not with taking a side in either event and we were very candid in carrying one party's complaint and trying to get an answer in that sense and Michelle is accurate. We have not disclosed everything that happened at that time and I think it behooves us not to go any deeper than I have just done in a surface kind of coverage, but in fairness to Duquesne Light, you know, for the telephone company, all they are doing is moving a telephone wire. For the City of Pittsburgh we are not moving anything of any serious consequence, but in fairness to Duquesne Light, they are moving high tension wires and they have to exercise a little more concern, but at any rate I found all parties to be as candid and as forthright as they possibly could in this instance and that is why I think, we got some movement with it, hopefully.

**Mr. Stone** moved to approve the minutes of Monday, March 9, 1981.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Robinson**

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, MARCH 23, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAE...Ass't City Clerk**

Pittsburgh, PA

Monday, March 23 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

ABSENT: Mr. O'Malley

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 2832 Resolution providing for the issuance of a warrant in favor of

Patrizio Art Mosaic Company in the amounts of \$286.20 and \$93.56 totalling in the aggregate \$379.76 in payment for test renovation of the Loggia and from steps of the City-County Building and providing for the payment thereof.

Also,

No. 2833 Resolution providing for the issuance of a warrant in favor of General Elevator Co., Inc., in the amount of \$377.51 in payment for work performed for the benefit of the City in connection with repairs needed on elevator car #2 in the P.S.B. and providing for the payment thereof.

Also,

No. 2834 Resolution providing for the issuance of a warrant in favor of Bovie Electric Supplies Co., in the amounts of \$194.95, \$155.96, and \$144.11 totalling in the aggregate amount of \$495.10 in payment for electric material purchased in connection with the Modernization of Elevator "H" CC and providing for the payment thereof.

Also,

No. 2835 Resolution providing for the issuance of a warrant in favor of Le Goldman Associates in the amount of \$4,220 for A/E services; and Harry Dun Co., in the amount of \$27,695 for repairs and alterations totalling in the aggregate \$31,915 in connection with emergency repairs at No. 55 Engine Company and providing for the payment thereof.

Which were severally read and referred

to the Committee on Finance.

**Mr. Givens presented**

Resolution transferring the sum of \$20,000.00 from Code Account No. 1808, Equipment, Department of Parks and Recreation to Code Account No. 1154-1, Rental of Motorized Equipment, Department of Supplies.

Which was read, and referred to the Committee on Finance.

Also,

No. 2837 Resolution providing for a license to Equitable Gas Company for the installation of an eight-inch pipeline together with the necessary appurtenances on City property beginning at a point in the northeastern boundary of Washington Boulevard near its intersection with Allegheny River Boulevard, 12th Ward, to provide service to the City's Asphalt Plant.

Which was read and referred to the Committee on Lands and Buildings.

Also,

No. 2838 Resolution granting unto Mellon Bank - Bloomfield Branch, 4701 Liberty Avenue, Pittsburgh, PA 15224, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, a canopy with security lights and a sign marquee to be erected over an entrance to its building, the Mellon Bank, Bloomfield Branch, 4701-02-03 Liberty Avenue, Pittsburgh, PA, to project over the sidewalk area a distance of 4'0" width of canopy to be 7'8" long with a minimum height of 10'0" over existing sidewalk.

Also,

No. 2839 Resolution vacating the City of Pittsburgh portion of "Q" Way between Interboro Avenue and Platport Street and "R" Way between "Q" Way and the southwesterly property line of Lot 133 K 173, as extended, in the 31st Ward of the City of Pittsburgh excepting and reserving the 8 inch sewer line in both "Q" Way and "R" Way.

Also,

No. 2840 Resolution amending Resolution No. 204, approved 2/26/81, effective 3/6/81, entitled, "Providing for a contract/s or use of existing contracts for Miscellaneous Electric Service and providing for the payment of the cost thereof by increasing the total project allocation to \$26,500.00.

Also,

No. 2841 Resolution amending Resolution No. 315 approved 4/18/870, effective 4/25/80, entitled, "Providing for a contract/s for the installation and removal of flashing school signs and providing for the payment of the costs thereof" by amending the title to authorize use of existing contracts.

Also,

No. 2842 Communication from Louis Gaetano, Director, Department of Public Works requesting permission to attend U. S. Conference of Mayors Transportation Committee Meeting, Atlanta, GA, March 25-26, 1981 at a cost not to exceed \$550.00, payable from Code Account No. 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 2843 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission to attend American Waterworks Association Annual Meeting, Lancaster, PA, April 21-24, 1981, at a cost not to exceed \$350.00, payable from Code Account No. 1701, Miscellaneous Services, Department of Water.

Which was read, and referred to the Committee on Water.

Also,

No. 2844 Resolution authorizing and directing the Mayor and the Director of the Department of Lands and Buildings to take the necessary steps to implement an energy audit of the City-County Building.

Which was read and referred to the Committee on Lands and Buildings.

**Mrs. Masloff presented**

No. 2845 Communication from Louise Brown, Director, Department of Parks and Recreation, requesting permission for six Parks and Recreation Department Employees to attend Conference of Pennsylvania Parks and Recreation Society, Tamiment, PA, April 5-8, 1981, at a cost not to exceed \$350.00, payable from Code Account No. 1801, Miscellaneous Services, Department of Parks and Recreation. Transportation to be provided by City-owned vehicles.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 2846 Resolution providing for the issuance of a warrant in favor of IBM

Corp., in the amount of \$1,386.00 for rental of equipment due for January, February and March, 1981, chargeable to and payable from Code Account 1447, Miscellaneous Services, Department of Police.

Also,

No. 2847 Resolution providing for an Agreement or Agreements with Advanced Research Resources, for professional consulting services in the development and validation of job related physical and medical standards for use in qualifying applicants for employment and promotion, cost not to exceed \$88,000.00, chargeable to and payable from Medical Standards Validation Project Trust Fund; and creating a special trust account to be designated "Medical Standards Validation Project Trust Fund" and to transfer the sum of \$88,000.00 from EMS 1421, Miscellaneous Services; \$17,600.00 EMS 1422, Supplies and Materials, \$35,200.00 EMS 1423, Equipment \$35,200.00.

Which was read, and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 2848 Resolution amending Resolution No. 1282, effective December 11, 1980, authorizing the transfer of Three Hundred Eight Thousand and Sixty-Four Dollars (\$308,064.00) from the 1980 CDBG Program Trust Fund, ULO (CC-80-01) to the 1981 General Fund of the City of Pittsburgh for Reimbursement of Indirect Costs, Community Development, so as to correct the project number.

Also,

No. 2849 Resolution amending Resolution No. 1020, effective August 31, 1978, as amended by Resolution No.

413, effective May 16, 1980, entitled, "Providing for a Supplemental Agreement/s with the Pittsburgh Neighborhood Alliance", so as to further extend the time of the Original Agreement (#23530-F dated October 18, 1978) from October 19, 1979 to December 31, 1981, and to utilize the remaining monies (\$2,916.99) from the Original Agreement for printing and distribution of a Neighborhood Resource Handbook.

Also,

No. 2850 Resolution amending Resolution No. 977, effective November 7, 1979, entitled, "Providing for an Agreement/s with the United Black Front for the renovation of the interior and exterior of the existing facility located at 2161 Wylie Avenue, 5th Ward, City of Pittsburgh, so as to increase the amount allocated from \$75,000.00 to \$104,212.64, and include the Urban Redevelopment Authority as the administrative agent to the agreement.

Also,

No. 2851 Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Reduced Fare Bus Loop Project for the period from May 1, 1981 through April 30, 1982, in an amount not to exceed \$310,000.00.

Also,

No. 2852 Resolution approving the sale of Parcel 295 (1229 W. North Avenue) in the 21st Ward of the City of Pittsburgh by and between URA and C. Robert Frey and Gloria A. Frey for \$15,000.00 -- Redevelopment Area No. 27.

Also,

No. 2853 Resolution approving the sale of Parcel 98 (1810 Webster Avenue) in the 3rd Ward of the City of Pittsburgh by and between URA and Donald L. Smith and Thelma J. Smith for \$22,900.00 -- Redevelopment Area No. 31.

Also,

No. 2854 Resolution approving the sale of Parcel 25 (Roberts and Arthur Streets) in the Third Ward of the City of Pittsburgh by and between URA and Charles E. Davis Construction Company for \$9,000.00 -- Redevelopment Area No. 31.

Also,

No. 2855 Resolution approving a Neighborhood Housing Program Agreement between URA and Charles E. Davis Construction Company, Inc., for a house to be constructed in the Fifth Ward of the City of Pittsburgh.

Also,

No. 2856 Resolution approving a Neighborhood Housing Program Agreement between URA and Charles E. Davis Construction Company, Inc., for housing to be constructed in the Third Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 2857 An Ordinance supplementing the Pittsburgh Code, Title I, Administrative, Article XI - Personnel, Chapter 191, Retirement and Severance Pay, by adding Section 191.08, Police Pension Fund.

Also,

No. 2858 Resolution providing for the issuance of warrants to Norma J. Beam and John Charles Thompson, Esquire, in the aggregate amount of \$1,000.00, in full settlement of a minor's claim for personal injuries and providing for the payment thereof.

Also,

No. 2859 Resolution providing for the issuance of a warrant in favor of Air & Power Service Company in the amount of \$650.00 and \$3,265.70; totalling in the aggregate \$3,915.70 for emergency repairs to the EDPAC system chargeable to and payable from C.A. 1043, Miscellaneous Services, Mayor's Office, Information Systems.

Also,

No. 2860 Resolution providing for an Agreement or Agreements with Ruth Law for stenographic reporting services in connection with public hearing/s and providing for the payment of the cost thereof, cost not to exceed \$1,000.00 payable from Code Account No. 1035, Miscellaneous Services, Commission on Human Relations.

Also,

No. 2861 Resolution providing for the lease of the Civic Arena from the Public Auditorium Authority of Pittsburgh and Allegheny County from 6:00 a.m. to 5:00 p.m. May 9, 1981 at a rental of \$2,060.00 for the administration of the 1981 Police Officer Entrance Examination and for other public purposes, upon certain terms and conditions and providing for the payment of the costs thereof.

Also,

No. 2862 Communication from John Gabriel, Executive Director, Human

Relations Commission requesting permission for Thomas D. MacMullan and LaVern Burden to attend Discrimination Conference, Latrobe, PA, April 3, 1981, at a cost not to exceed \$100.00, payable from EEOC-706.

Also,

No. 2863 Communication from Ronald Schmeiser, Treasurer, requesting permission to attend Municipal Finance Officers Association Conference, Boston, Mass., June 14-18, 1981, at a cost not to exceed \$1,500.00, payable from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 2864

Report of the Committee on Finance for March 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2724

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Spiniello Construction Company, in the amount of Five Thousand Three Hundred Sixty One Dollars and Forty Cents (\$5,361.40), in payment for Extra Work furnished for the benefit of the City in connection with the East Liberty Mall Access and Parking Improvement along Highland Avenue and Broad Street

Mall (Community Development); and providing for the payment thereof."

Which was read.

Also,

Bill No. 2730

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Patterson Industries, Inc., East Liverpool, Ohio 43920, in the amount of \$7,920.27 in payment for purchase of a 30" Gate Valve furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2732

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of McKamish-Chesapeake, Incorporated in the amount of \$450.00 in payment for work performed at Phipps Conservatory, furnished for the benefit of the city without previous authority of law and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2733

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of W. G. Tomko and Son, Inc., in the amount of \$209.79 in payment for work performed at Broadhead-Fording Pool and Park, furnished for the benefit of the City without previous authority of law; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2742

Resolution entitled, "Resolution providing for the issuance of warrants in favor of the Police Officers listed in the amount of \$16,988.68, in payment for travel and meals incurred while in training; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2744

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the Stanton Heights Civic Association in the amount of \$375.69 in payment for mailed copies of the Stanton Heights Civic Association's 'Community Newsletter' to 2,000 households concerning a public hearing on January 20, 1981 on the Stanfield Urban Development Action Grant, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**Mr. Flaherty:**

Mr. President, I have a question in regard to the payment to the Stanton Heights Civic Association. If someone could just give me an explanation of the bill, it seems to me, unusual that we would be reimbursing an organization in regard to a mailing that they were to send out and I was just curious if anyone on this Council saw what was in the mailing and is this unprecedented?

**The Chair:**

No, it is apparently a procedure of the Department of Planning, they do that on occasion, something that they feel is important enough, they will send it out.

**Mr. Flaherty:**

So it was authorized through Planning.

**Mr. Givens:**

Has this been done previously?

**The Chair:**

Yes.

**Michelle Madoff:**

Of course it has been done previously.

**Mr. Givens:**

Oh? I've been here for some years and I've never seen a bill by a local community where the community then charges the City of Pittsburgh. If the Planning Department wants to do that then leave the Planning Department do it out of their own budget, but I've never seen one like this come through before.

**Michelle Madoff:**

Where is the money coming from?

**Mr. Givens:**

I mean the precedent here is that any community organization can come in to us and say they are going to have a mailing on a public hearing and we might get into exorbitant costs here.

**Mr. Stone:**

Mr. President, I am at a loss to understand what is happening. We all

talked about a project where the whole community wanted it but there was some problem. Now it is my understanding that this newsletter is trying to keep everybody briefed on a concern that has been there for some time and this is not starting a precedent, this is an example here to try to brief everybody so they are on common ground to alleviate the fears that they had and all we are doing is a City service to that project --

**The Chair:**

What had happened Mr. Stone, at that one meeting there was quite a gathering and the discussion came up about how they could better notify people about the hearing and the situation that was going on there and it was suggested by the Planning Department that they do this, so they made up the agenda and it was sent out by the Planning Department.

**Mr. Stone:**

Yes but they are doing it because there were millions of dollars involved and they are doing it because people are committed to solving a problem that has been unsolvable up until now. It would seem to me that this is probably good money used in order to try to brief everybody so they won't have any problem.

**Michelle Madoff:**

Mr. President, it says right after the lines are drawn, "furnished for the benefit of the City", so obviously it is for us and it is in good purpose. I think the question now becomes, where is the money, Mr. Finance Chairman, who is paying for it, which budget is it coming out of?

**Mr. Stone:**

It tells you right at the bottom, CD Block Grant.

**Michelle Madoff:**

So CD — it then falls under Community Block, so the money is coming out of the right source, right? And it says, furnished for the benefit of the City, I think it is okay Tom.

**The Chair:**

There is a letter here that Mike is showing me that the Department of City Planning had previously agreed to reimburse the Stanton Heights Civic Association for preparation and mailing of 2,000 copies of their community newsletter. This newsletter contained, among other things, an announcement of a public hearing on the 21st of January, 1981 concerning the Stanfield Urban Development Action Grant.

**Mr. Flaherty:**

Yes, I just have a comment on that, I don't see anything wrong with that, but I believe in the year and a half that I have been on Council it is the first time that I have seen a payment of this kind and I just want to caution the Council in the future that a precedent has been established here and I hope in the future that we don't find ourselves in the quagmire of every community group coming to Council to pay to send out what they want to send out through the mail.

**The Chair:**

See, if we wouldn't let people know they wouldn't bother us.

**Mr. Stone:**

Mr. President, so that there is no misunderstanding, I don't see this as

precedent setting. What we are talking about is a unique situation that has none comparable in the City of Pittsburgh that is dealing with money that is unique and different towards a project which will service the business needs of a multiple of communities and we might all ask ourselves this question, if you are spending millions of dollars in a project, would you be spending too much, \$375.69, in order to brief everybody about what you are doing? I don't see this as precedent setting, I see it as a unique situation.

**The Chair:**

I don't think there is any question on that Bob, with the exception of Mr. Givens and Mr. Flaherty and Mrs. Madoff saying it is the first time they have come across it since they have been on Council, or to their attention, and I can understand that.

**Mr. Stone:**

No, the question doesn't bother me, I just want everybody to understand in this instance it is something that is incidental and necessary and a natural flow from the original money.

Also,

Bill No. 2747

Resolution entitled, "Resolution providing for the issuance of a warrant to Karl Hardman Schon, c/o Judith L. Maute, Titus Marcus & Shapira, 624 Oliver Building, Pittsburgh, PA 15222, in the amount of \$12,000.00 in full settlement of a lawsuit wherein Mr. Schon claimed property damage and providing for the payment thereof."

Which was read.

Also,



Bill No. 2748

Resolution entitled, "Resolution providing for the issuance of a warrant to Patricia A. Hardy, c/o Anthony J. Polito, Esquire, and Rose Schmidt, Dixon, Hasley, Whyte and Hardesty, 900 Oliver Building, Pittsburgh, PA 15222 in the amount of \$6,000.00 in full settlement of the City's share of damages and personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 2749

Resolution entitled, "Resolution providing for the issuance of a \$1,533.09 warrant to Maryland Casualty Companies and Leroy B. Raffel in full settlement of claim for damage; and providing for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2750

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of West Penn Fleet, Dollar Rent-A-Car of Pittsburgh, in the amount of \$1,340.00 in payment for rental of two (2) sub-compact cars for the Department of City Treasurer for the period January 1, 1981 to February 28, 1981, furnished for the benefit of the City in connection with Parking Meter Collection and Scofflaw Enforcement; and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 2750, do you recall Sir that I asked a question, why we are spending \$1,340.00 for rental of two cars when we could be keeping some of our cars as opposed to trading, or owning a couple of cars that we could have when our cars are out of order? This is insanity, and I was to have an answer by today, I have not had an answer. I would like to hold that bill.

**Mr. Stone:**

Now how are you going to do that? He needs the car for a short period of time, buy a new one?

**Michelle Madoff:**

No, no, no, I am saying that we should own a couple of extra cars for the City.

**Mr. Stone:**

Well, that would be nice, that is why we are going into that leasing authority, because we didn't have the money to do it.

**Michelle Madoff:**

Mr. Stone, do you recall when we were turning our cars in, we were not turning them in on time, we were keeping them for nine months? There is no reason why we can't keep a couple of cars, the best of the junkers, the best of the ones going and two or three cars for stand-by. This is insanity, we have to pay -- you are going to say, and you are right, that we ought to pay our bills and you are absolutely right, and if your argument is why penalize the person who has to collect the bill, I have to agree with you. The only reason I would like to hold it one week and I don't think one week would make any difference, is that we better start changing some of the practices around this city. We are in a tight budget year, if anybody knows it you know it better than anybody and I am just saying supposing we just get an answer back saying, "Yes, we'll keep two cars or we'll have two cars available", because I will tell you, go back and look at the rentals of some of the bills that we don't even see. They are done through the Mayor's Office, they are done through other places, its astronomical, we could own the car, we could own a couple of second hand cars, we could go buy a second hand car for that money.

**Mr. Stone:**

Let me just try one more if I may, I have no objection to you calling a Post Agenda thing, but increasingly I get disturbed when someone is solicited by the City as West Penn Fleet and I don't even know who they are, to provide a vehicle for two months and they agree to provide it and they do and we agree to pay it --

**Michelle Madoff:**

I agree with you.

**Mr. Stone:**

Okay well, let's pay it.

**Michelle Madoff:**

Allright, wait, I'm not arguing the point, but it is like in the water meter thing --

**Mr. Stone:**

There is enough of delay as it is without holding it back.

**Michelle Madoff:**

No, Mr. Stone, the point that I am making is not that we shouldn't pay it, I don't think one week will make that much difference, all I am saying is that I asked to have an answer by today, I didn't get one. I think the Clerk was to find out. I asked a question at Wednesday's meeting, "Would somebody find out?", and as a matter fact Larry Yatch wasn't in the room until later, there was some problem and we were to find out why --

**The Chair:**

Allright Michelle, do you want to recommit that bill?

**Michelle Madoff:**

I would like to recommit it for a week, one week.

**The Chair:**

Is there a second?

There being no second, the bill is not recommitted.

**Michelle Madoff:**

Mr. President, I am going to abstain on this bill, only because I want

to get the point brought home and would we please have a post agenda on 2750 Mr. Perry, with reference to having some standby vehicles for some of our better cars when traded in, particularly under the new leasing program. Cars are always going to break down and if we are going to go out and spend \$1,340.00 for rentals, for even a month or it may have been two weeks, I don't know how long it was, we'd better have some other provisal.

**Mr. Perry:**

This Wednesday Michelle?

**Michelle Madoff:**

As a matter of fact, I think that is a waste of Council's time, why don't we just write a letter to Mr. Yatch -- seriously, it is a waste of time.

**Mr. Stone:**

We must be on the same wave length for a second here. I'm wondering why we always have to have a Post Agenda? If you can't get it out of a letter, then make it a Post Agenda.

**Michelle Madoff:**

Yes, right, why don't we just send a letter over to Mr. Yatch saying that \$1,340.00 seems excessive from the point of view of renting two cars, cars are always going to break down -- please, make sure some of these points are covered, I want to see the letters before they go out because I saw the letter that was sent out on --

**Mr. Perry:**

Do you want to draw it up Michelle?

**Michelle Madoff:**

That may not be a bad idea too. I'll draw up a draft subject to the approval of Council, the President of council, if he approves it we will send it over, because the last letter that went out left the meat out on the business of the grandfathering clause.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 6 NOES none  
(MICHELLE MADOFF ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2751

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Digital Equipment Corporation in the amount of \$807.90 in payment for the repair of a Digital Model LA120 Computer Terminal Printer for the City Treasurer's Department furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2752

Resolution entitled, "Resolution providing for an Agreement or Agreements, with Public Financial Management, Inc., for professional services in connection with independent financial advice to the City of Pittsburgh for the management of the City's fiscal affairs; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
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Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 2865

Report of the Committee on Public Works for March 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2725

Resolution entitled, "Resolution providing for a contract or contracts for the construction and reconstruction of various Mt. Washington intersections and improvements at various locations and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2726

Resolution entitled, "Resolution amending Resolution No. 172, approved February 20, 1981, effective March 2, 1981, entitled, 'Providing for an Agreement or Agreements with Michael Baker, Jr., Inc., for Professional Services in connection with a preliminary permit for hydroelectric facilities at the Allegheny River Lock and Dam No. 2 and

providing for the payment of the cost thereof,' by amending the title and increasing the total allocation to Five Thousand (\$5,000.00) Dollars."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 2866

Report of the Committee on Planning, Housing and Development for March 18, 1981 transmitting one resolution and one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2745

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as

previously amended by Resolution Nos. 504, 635 and 1065 of 1980, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program' so as to decrease line item PW 80-35 - 'West End Flood Gate Repair' from \$50,000.00 to \$0; and further to increase line item PW 80-32 - 'Miscellaneous Repairs to PR 80-12 - 'Senior Centers, Leases and Rehabilitation' from \$70,000 to \$0; and further to add a line item PR 80-28, 'Quarry Field Recreation Facility' (\$70,000.00); and further to correct the project number in line item SD 80-03 'Miscellaneous Street Lights in Community Development Areas' from 4-30-01-0948-80-83-80-01 to 4-30-05-0001-80-41-80-30."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2746

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Seven, Business Licensing, Article 7, Service Businesses, by adding a new Chapter 767, entitled, 'Private Towing Operators' and providing for the regulation thereof."

Which was read.

**Mr. Robinson:**

Mr. President, on Council Bill 2746, I have received a request by way of petition for a public hearing on this bill. I think that perhaps a number of technical questions have been raised that deserve a bit more serious discussion. In that regard I would like to recommit this bill and suggest that we get some sort of report from the department that prepared it prior to granting the request for a hearing and informing the petitioners of that information.

**Mr. Stone** seconded the motion.

**Michelle Madoff:**

Mr. President, I have no quarrel with holding it. I had a number of calls at my office from people who don't understand what the bill involves and what licensing fees will mean to them and they really haven't had a chance to review the legislation and I don't think we should pass anything until people who are going to be affected have a chance to understand it. However, I don't think that we can in good conscience, and of course we will all decide that as we hear from various parties, sometimes there is more than one way to achieve a goal. One of the recommendations that was discussed on Wednesday was a letter that Mr. Robinson and I both received with reference to, all you need is a central communications spot, we don't have to

tow, just the person having to tow car -- and I am saying this for the benefit of the persons in the audience, when they have the car towed, would just call into a central number and then you would know where your car is. Unfortunately the City is not equipped to do that, it would tie up the 911 emergency line and it can't be done. It is also not proper and fitting that people should have their cars towed arbitrarily to some obscure gasoline station because somebody says, "Hey, business is bad, how about letting me tow your cars?" Something has to be done, I'm sorry that in passing legislation not everybody is happy, very frequently I am not happy, a bill passed today that I am abstaining from because I have some strong feelings about it, but I think we have to look at the general good of the public. If Mr. Robinson feels, and I think it is very worthwhile holding it to get some legal clarification, I think we should hold it only because people want to have the opportunity to look at the bill and I would certainly hold that.

**Mr. Stone:**

Michelle I don't know if you heard that I told Station Square that if they didn't clean up their act we were going to put an ordinance in.

**Michelle Madoff:**

Mr. Stone they did clean up their act and this is really not designed against them.

**Mr. Stone:**

I listened to you didn't I?

**Michelle Madoff:**

I'm sorry.

**Mr. Stone:**

Do you know what I'm going to say?

**Michelle Madoff:**

I think so, you said it last week.

**Mr. Stone:**

No I didn't. Now if you'll hear me then you will find out what I have to say.

I am reading the bill and I find some defects on the face of it, but let it be known this is not a delay tactic but rather to get this bill in the proper form.

**Michelle Madoff:**

I think that is what was said, I agree with you.

**The Chair:**

Okay, a motion and a second, a roll call vote on the motion.

Is there any further discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative the motion to recommit was approved.

**Mr. Givens presented**

Bill No. 2867

Report of the Committee on Supplies for March 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2727

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of raincoats and hoods for the Department of Police, and for the payment thereof."

Which was read.

Also,

Bill No. 2728

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of auto connect, multi digit access couplers for the Department of Emergency Medical Services and for the payment thereof."

Which was read.

Also,

Bill No. 2729

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of pressure demand air masks complete with composite air bottles and carrying cases for the Department of Fire and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 2868

Report of the Committee on Parks and Recreation for March 18, 1980 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2734

Resolution entitled, "Resolution repealing Resolution No. 294, effective May 19, 1976, entitled: 'Providing for a contract or contracts for the renovation of the proposed Beechview Senior Citizen's Center in the Department of Parks and Recreation at a cost not to exceed \$5,000.00, chargeable to and payable from the 1975 Community Development Block Grant Program.'"

Which was read.

Also,

Bill No. 2735

Resolution entitled, "Resolution providing for a license Agreement with the Urban Redevelopment Authority of Pittsburgh for the use by the City of ballfield or ballfields, Northgate Park, prior to completion of the project, and indemnifying the Urban Redevelopment Authority against claims arising from such use."

Which was read.

Also,

Bill No. 2736

Resolution entitled, "Resolution providing for a lease from Western Pennsylvania Water Company of certain property on Becks Run Road, 29th Ward, for a term from April 1, 1981 to September 30, 1981, at a rental of One Dollar for recreational purposes."

Which was read.

Also,

Bill No. 2737

Resolution entitled, "Resolution providing for a contract with a band leader or band leaders for personal services in conjunction with the 1981 Festival, Senior Citizen, Special Event, and Concert Programs for the payment of the costs thereof. Payments shall not exceed \$9,500.00 from Code Account 1843, \$11,000.00 from Code Account 1837 and \$18,000.00 from Code Account 1838."

Which was read.

Also,



Bill No. 2738

Resolution entitled, "Resolution further amending Exhibit I of Resolution No. 1229, effective December 31, 1979, the 1980 Capital Budget, as further amended by Resolution No. 854 of 1980, Resolution No. 969 of 1980, Resolution No. 1068 of 1980, Resolution No. 1069 of 1980, and Resolution No. 1107 of 1980, entitled, 'Adopting the 1980 Capital Budget; allocating and setting aside accounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds; by transferring \$70,000.00 of the 1980 Community Development Block Grant allocation from Senior Centers, Leases and Rehabilitation to Quarry Field Restrooms - Design and Construct."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**Mr. Givens presented**

No. 2869 WHEREAS, on February 4, 1981, the State Department of Education distributed a document to selected educators entitled "Proposed Changes in the Operation and Funding of Special Education" and

WHEREAS, this document proposes fundamental changes in the funding and operation of programs for exceptional children which would significantly reduce services to children with serious mental and physical handicaps; and

WHEREAS, the Education Department has agreed to hold various public hearings in April, 1981 relative to this matter; and

WHEREAS, 45 area organizations for the handicapped have banded together to oppose the proposal.

NOW, THEREFORE

BE IT RESOLVED that the members of the Council of the City of Pittsburgh hereby oppose these educationally unsound proposals for the disastrous consequences they would have for both teachers and exceptional children and urge the appropriate elected representatives to request the State Department of Education to halt this process.

**Mr. Givens** moved for approval.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. O'Malley and Mr. Givens presented**

No. 2870 WHEREAS, Item CP 81-06 of the 1981 Capital Budget is Property Management and Maintenance Program (includes Bloomfield-Garfield Area); and

WHEREAS, Council intended \$200,000.00 of that \$1,490,000.00 to go to Bloomfield Garfield for lot clean up; and

WHEREAS, HUD has requested clarification on the intent of Council through the Bloomfield-Garfield Corporation,

NOW, THEREFORE

BE IT RESOLVED that HUD be informed that the intent of Council is to use \$200,000.00 of the Property Management and Maintenance Program specifically for lot clean up in Bloomfield and Garfield.

**Mr. Givens** moved for approval.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Stone:**

Mr. President if I may, on this particular issue I had an opportunity to talk to some of the Bloomfield-Garfield people outside. I don't know that the resolution alone is going to solve the problem but I just would like to re-affirm a commitment that this Council made to Bloomfield-Garfield, and we were trying to refresh our memories relative to it and it is my understanding that when we had our budget hearings on it that we indicated at that time that this was to be a pilot kind of program for the City of Pittsburgh. At that time we had hoped to use some of our CETA Program. We don't have that now, but at least some of the workers were to come out of that community and hopefully having some community pride that this would give an opportunity to see, in a pilot situation, whether or not we should duplicate that throughout the City.

If the resolution is sufficient, fine, but if not, I think that they should come back to us and we'll try to do something with a line item change that gets closer to the intent that we had intended, but I think City Council has to watch its credibility here, we agreed that we would do it and I think we ought to maintain that credibility.

**The Chair:**

Yes, it seems that Director Lurcott, who has been pretty cooperative in most cases, has not lived up to the intent of the resolution previously, that they were going to do this. It seems the City of Pittsburgh in general has let that group down, they just haven't done their homework. Why, I don't know, and these people have been here I think four or five times since, practically pleading with them to carry out their end of the bargain or agreement and it just seems they don't do it.

**Mr. Givens:**

Mr. President, what Bob indicated was something along my lines. This \$200,000 has been in there since the 1980 budget, actually 1979, December of 1979, it was so requested by that particular organization and for only \$30,000 has been used on it and that hillside wherein we appropriated \$2.5 Million for the UDAG grant and the Stanfield area. Part of that agreement is to build 20 or I think it is 50 some scattered sites up there, new homes, in the Garfield area. Now who in the hell is going to come in there if we are going to look at unsightly vacant lots with debris on it? This community has been after this government for a long time, City government to respond to their neighborhood and HUD in looking at the appropriation thought it was sort of all in a mish-mash and the type of cleaning up the lots for a number of neighborhoods.

We tried to single that out by this resolution right here, this was what HUD asked the neighborhoods to come in to Council with for Council's intention, now, HUD, through their wisdom, hopefully can put some pressures on the City of Pittsburgh for not performing their duties in carrying out this lot clean up program and it is just not lot clean up it is lot maintenance and lot reconstruction so the neighborhood would be inducive to people coming in and wanting to build there.

**Michelle Madoff:**

Mr. Stone, I think you really put your finger on the real world. That we can sit here and legislate and propose and someone else can dispose. I think your thought in changing line item is well taken. Have you by any chance, and I would be interested to know, talked to Mr. Lurcott?

**Mr. Stone:**

I just realized today that it would probably come up again. I was under the impression that it was no problem and I've got a call in already to Rege Young to see what their position is.

**Michelle Madoff:**

And I am sure you will inform Council then of what is happening.

I would like to just point out to Council, simply because we have all been busy with our own lives and pressures that come from constituency in our offices, I do not know why and I would appreciate it if the President of Council would perhaps make it his business to find out, we have not got as yet, a head for the Department of Lands and Buildings. Paul Evers is the acting head. He informs me that he feels somewhat restricted in making any major

decisions because he is really not officially the head of that department to make any major changes. I repeat, I have done extensive research on that department, there is no doubt, if somebody sits down and just looks at the facts, that there are hundreds of thousands of dollars, it could easily be returned to the City. We are going to have to be a little innovative. There are 4,000 pieces of property that could be used as hedges against mortgages by just giving the properties away and get some revenue back into the City, generate revenue, and there are some properties that are very salable. I would hope that we would quickly get a head for the Department of Lands and Buildings because in the City budget the hip bone is attached to the thigh bone. Whenever we generate revenue that goes into the General Fund, then when an issue like this comes up we have a source in which to turn. A good example is the problem that came up with Crown Wrecking on the billing. There was \$80,000 that the City saved. We don't have the luxury in this Council to say, "We'll take that particular \$80,000 and put it towards the Bloomfield-Garfield", but there was \$80,000 more than this budget was going to have if we had not cut back on that payment.

There are other areas that we can generate funds. We have this business of West Penn Water. We have a community that offered to buy water from us at 50¢, I told them 70¢, I think they are going ahead and buying and I think we are going to have something like \$75,000 a year from them coming in almost immediately, but nobody is expediting, I don't know why. I don't know why somebody in the Administrative office is not just appointed to do some expediting. Perhaps you can do something.

**Mr. Robinson:**

If I might, I just have three quick items. The Planning, Housing and Development Committee will be having a public meeting on April 6, 1981 here in Council Chambers from 7:00 p.m. to 9:30 p.m. to discuss the City's Housing Program, specifically the Homesteading Program. I would like the City Clerk to forward a letter to Mr. Brophy who is our Housing Director and ask him to have prepared for that meeting, some information, a draft or an outline of the City's new Homestead Program so that we can have some sort of public discussion of it.

Also, in reference to our continuing discussion on the U.S. Steel Corporation being given the opportunity to purchase certain City land, at last Wednesday's meeting I did request that the Mayor join us. I would like the record to reflect that that request was made pursuant to Section 310 of the Home Rule Charter, specifically Section 310 F, and also pursuant to the rules of Council, Rule #6, I think it is important to have the record reflect this because there have been some additional concerns relative to Council Bill 2171 and I state again, or reiterate that the Mayor of the City and myself worked on this legislation and I think it is only appropriate that we clarify any misunderstandings that might now exist.

The last point, I would like to comment on this, I had an opportunity on March 19, 1981 to present a lecture at Purdue University in the African Study and Research Center as part of their Martin Luther King, Jr. lecture series. The presentation was on Urban Government and Politics. The Director of that Center is Dr. Melvin D. Williams who is a Professor of Anthropology at Purdue University. Dr. Williams was a former colleague of mine at Carlow College and a graduate of the University of Pittsburgh with his Bachelors and

Masters and Ph.D. in Anthropology. Dr. Williams has done two studies on our City, both of which are in book form, both of which have been cited by various scholars and I would like the record to reflect that one of the books is "On the Street Where I Lived" by Dr. Melvin D. Williams and the other book is "Community in a Black Front Pentecostal Church" by Dr. Melvin D. Williams. Dr. Williams is doing a very fine job at Purdue University and he sends his best to everyone here in Pittsburgh.

#### **The Chair:**

Mr. Robinson, in regards to the hearing you are talking about having set up, relating to the tour that we took last Saturday, yourself, Sophie Masloff and Tom Flaherty and I with the ACORN people, their request, for those of you who aren't familiar with it is that they want to purchase homes similar to what they are doing in Philadelphia, for a dollar and then to renovate these homes at some sort of low cost interest type thing, and therefore put them back on the tax roles. Most of them are vacant and vandalized and they are tax delinquent and obviously the City is never going to collect those taxes but this way they could put those homes back on the tax roles and collect from those people and at the same time enable those with meager funds or background to get themselves a house at relatively a small cost. I just wanted to ask you, are you thinking about making a determination after that hearing as to coming up with legislation to that regard or are you going to do that before the hearing?

#### **Mr. Robinson:**

Well I think that certainly the proposal that ACORN is submitting is consistent in general with the efforts of the City to continue our Homesteading

Program. Director Brophy has indicated that he is working on a new program which he is going to present to Council. I think there are a number of people who would like to look at both proposals and see if there is some opportunity to come up with some sort of way to do this that addresses all of the legal issues and at the same time addresses the very real financial questions. I do not anticipate any kind of legislation until we have an opportunity to hear from Director Brophy, from ACORN, and from other groups and organizations who are interested in the Homesteading Program.

#### **The Chair:**

I just want to add, I have maintained for some time that the City ought to do that, I had suggested that to Michelle Madoff and she agrees with me 100%, if only we can get them back on the tax roles, obviously the benefit is to the people who will have a home to live in for not that expensive a project.

If I may, let me read this one letter which was sent to me by Warner Cable Corporation:

"Dear Mr. DePasquale:

I would like to take this opportunity to thank Mr. Robert Rade Stone, Chairman of Finance Committee and Mrs. Sophie Masloff, Chairman of Council's Cable Committee for their valuable assistance last Friday in meeting with Duquesne Light Company officials on behalf of the City's interest in Warner Cable's franchise for the City of Pittsburgh.

It appears that we may be coming to some resolution of our current problems with Duquesne Light as a meeting has been scheduled for this afternoon at 3:00 p.m. with Mr. John Arthur, Chairman of the Board of

Duquesne Light.

I will keep Council advised of the results of that meeting."

According to this that meeting was to have been March 16th, so I don't know what happened there.

#### **Michelle Madoff:**

Mr. President, all members of Council did receive copies of that in our literature, I think it is important that it be in the record and I think it is also important since I was jumped on when I mentioned it a week earlier, that the record ought to reflect that I said almost the same thing a week before.

However, on the item that Mr. Robinson has gone out to be interviewed and holding the hearing, and you and I must be on the same wave length. I would like to take it just one step further. Did you by any chance read this weekend's paper? Mr. Flaherty? This is your committee?

#### **Mr. Flaherty:**

Pardon me?

#### **Michelle Madoff:**

Did you read the article this weekend on the Homesteading in Philadelphia? And did you read -- I meant to bring the article in and I left it at home by accident --

#### **Mr. Flaherty:**

In the Post Gazette.

#### **Michelle Madoff:**

And the article referred to the fact that we can't do it here and all the reasons why we can't do it, may I respectfully suggest that when Mr.

Robinson holds his hearing that we get the gentleman who did the program in Philadelphia to come in and say why it works. I mean why are we so different? We have the same air, same lungs, same kind of government, what makes it work for them and not for us? What makes us stupid and them so bright? Maybe it is because we are second class, maybe we ought to become first class. I'm not talking about first class graded.

Would you suggest that that be a good idea, that we either have him before the hearing at a Post Agenda or that we have him here to address the group that night, what would be your pleasure?

**The Chair:**

Well we may as well have him here that night.

**Michelle Madoff:**

And let him address the group and make the opening speech about what they are doing, then we can quiz Mr. Brophy and say, "Hey, what do you mean? Why can't we do the same thing?" I wish Mr. Robinson had been here to hear that, but we will see that he gets the message.

**The Chair:**

Okay.

**The Chair presented**

Bill No. 2871

Communication from Richard S. Caliguiri, Mayor, submitting the name of Harold Bushey as a member of the Minority Business Review Committee.

Which was read, received and filed.

Also,

Bill No. 2872

Resolution approving the appointment by the Mayor of Harold Bushey of 619 Federal Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read.

**Mr. Stone** moved to hold one week.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Givens** moved to excuse Mr. O'Malley for absence from this meeting.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Givens** moved to approve the minutes of Monday, March 16, 1981.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Givens**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, MARCH 30, 1981

No. 13

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE** ..... President  
**MICHAEL PERRY** ..... City Clerk  
**WILLIAM F. McCRAY**... Ass't City Clerk

Pittsburgh, PA  
Monday, March 30, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 2873 An Ordinance that the Council of the City of Pittsburgh shall consist of nine (9) members elected by districts in accordance with the powers

of the Pittsburgh Home Rule Charter, Article 3, Section 302.

Which was read and referred to the Committee on Planning, Housing and Development.

Also,

No. 2874 Resolution repealing Resolution No. 111, effective February 17, 1981, entitled, "Providing for a contract or contracts or the use of existing contracts in connection with City-County Building Renovation of the Fifth Floor and providing for the cost thereof".

Also,

No. 2875 Resolution amending Item A of Resolution #263, approved 4/11/80, for the sale of lot in the 5th Ward on Milwaukee Street designated as B & L 26-N-26A, to James LeRoy & Cynthia J. Walls, his wife, for the sum of \$600.00, amendment to add lot #27 to the sale.

Also,

No. 2876 Resolution repealing Resolution #1090, approved 12/5/79, for the sale of two story frame house, 116 Rr. Amanda Street (Mt. Oliver Boro), designated as B & L 14-L-242, to Frank P. Leonard & Joan Mitchell for the sum of \$950.00. Resolution is to cancel sale and forfeit hand money.

Also,

No. 2877 Resolution repealing

Item (D) of Resolution #402, approved 5/12/80, authorizing the sale of a 3 story brick apartment building on 709-11 N. Homewood Avenue, 13th Ward designated as B & L 174-J-138 to Donald & Shirley Tyler and Allen Morton, for \$10,000.00. Resolution is to repeal sale and return hand money.

Also,

No. 2878 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 2879 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings, requesting interim approval of payment of \$1,500.00 for extra work in connection with the new No. 10 Fire Station, West End, to be payable from LB 80-02, New Engine Company No. 10, (West End), Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

No. 2880 Resolution accepting the dedication of Eloise Street as shown and dedicated on the West Park Court Plan, in the Twenty-Second Ward of the City of Pittsburgh by West Park Court Highrise for the Elderly, for public highway purposes opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing the grade and accepting the grading, paving, curbing and sewerage thereof.

Also,

No. 2881 Resolution providing for a contract or contracts for the rehabilitation of the Charles Anderson Memorial Bridge Drainage System; and providing for the payment of the cost thereof not to exceed \$95,000.00, payable from PW 80-32.

Also,

No. 2882 Resolution further amending Resolution #1229, approved 12/29/79, effective 1/1/80, as amended, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program" by redefining the funding sources.

Also,

No. 2883 Resolution amending Resolution #1051, approved 10/20/80, effective 10/23/80, entitled, "Providing for an Agreement/s for Engineering Services in connection with the steel inspection of Greenfield Avenue Bridge and providing for the payment of the costs thereof" by authorizing a Supplemental Agreement and increasing the total project allocation to \$20,000.00, payable from PW 80-10.

Also,

No. 2884 Resolution amending Resolution #834, approved 8/19/80, effective 8/25/80 as amended by Resolution #1384, approved 12/30/80, effective 12/31/80, entitled, "Providing for a Contract/s for sewer reconstruction in Nine Mile Run from Love Street connector to Parkway East and private property and providing for the payment of the cost thereof" by decreasing the total project allocation by \$200,000.00 payable from PW 80-26.

Which were severally read and referred to the Committee on Public Works.



Also,

No. 2885 Resolution amending Resolution Number 1419, approved December 31, 1980, entitled, "Providing for the letting of a contract or contracts for the furnishing and delivery of computer equipment (dual fixed disk data banks) for the Police Department and for the payment thereof", by increasing the amount from \$33,000.00 to \$43,478.15 and by deleting the bracket portion describing the equipment.

Which was read and referred to the Committee on Supplies.

**Michelle Madoff presented**

No. 2886 Resolution providing for the issuance of a warrant in favor of BIF, Box 10018, Church Street Station, New York, N.Y. 10249, in the amount of \$9,523.64, chargeable to and payable from Code Account No. 1705, Repairs, Department of Water, for purchase of chlorinating Equipment Repair Parts.

Which was read and referred to the Committee on Finance.

Also,

No. 2887 Resolution authorizing the Mayor and the Director of the Department of Water, on behalf of the City of Pittsburgh to enter into an agreement with the Commonwealth of Pennsylvania, City's share of said agreement not to exceed \$1,530.00, chargeable to and payable from 1981 C.B.A. No. WD-81-10 (4-05-20-1055-81) in connection with the rehabilitation of Legislative Route 120, Section 70M.

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 2888 Resolution providing for an Agreement or Agreements with Uptown Athletic Association for the performance of professional services and the sum of \$5,000.00, from Code Account 42, Contingent Fund to Code Account No. 1838, Parks and Recreation.

**Mrs. Masloff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

No. 2889 Resolution providing for an Agreement or Agreements with Robert Morris College for services of the Pittsburgh Folk Festival for furnishing of cultural entertainment to the residents of the City of Pittsburgh during 1981 and providing for the payment of the costs which is not to exceed \$5,000.00 and is chargeable to and payable from Code Account 1838, Rec. Act. Miscellaneous Services.

Also,

No. 2890 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,477.50 for printing of Senior Citizens Newsletters to be payable from Code Account No. 1843, Department of Parks and Recreation.

Also,

No. 2891 Communication from Louise R. Brown, Director, Department

of Parks and Recreation, requesting interim approval of payment of \$1,612.40 to Meyers Plumbing and Heating Supply Company for purchase of plumbing supplies for emergency repairs to be payable from Code Account 1807, Repairs, Department of Parks and Recreation.

Also,

No. 2892 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$1,340.00 for rental of vehicles for Engineering Division of Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 2893 Communication from Robert J. Coll, Jr., Superintendent, Department of Police, requesting permission for two police sergeants to attend Pennsylvania State Police Electronic Surveillance School Hershey, PA, April 5-10, 1981, at a cost not to exceed \$625.00, payable from Code Account No. 1454, Education and Traveling Expenses, Department of Police.

Which was read and referred to the Committee on Public Safety.

#### **Mr. Robinson presented**

No. 2894 Resolution amending Resolution 1156 approved November 14, 1980 entitled, "Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the rehabilitation and

management of the Conrail Produce Terminal in the 2nd Ward City of Pittsburgh" by providing \$1.8 Million for renovation.

Also,

No. 2895 Resolution amending Resolution No. 279, providing for a Contract or Contracts for the reconstruction of streets, lighting and water lines for various areas of Pittsburgh's North Side in connection with the UDAG Program; and providing for the payment of the cost thereof. The purpose of this Amendment is to add the construction of water line and to increase the amount originally requested from \$685,000 to \$710,000.

Also,

No. 2896 Resolution providing for a Contract or Contracts or the use of existing Contracts for the improvement of the Alpine Street Play area of Pittsburgh's North Side in connection with the UDAG Program; and providing for the payment of the cost thereof not to exceed \$25,000.00.

Also,

No. 2897 Resolution providing for an Agreement or Agreement with Guide-Post Research, Incorporated and Gary Fry and Associate Consultants for the undertaking of a marketing structure of the Allegheny West Business District located on Pittsburgh's North Side at a cost not to exceed \$12,400.00.

Also,

No. 2898 Resolution providing for an Agreement or Agreements with E. L. Crow, Incorporated of 4126 Jackson Drive, Lafayette Hill, Pennsylvania, to act as the consultant to a market study of the East Ohio Street Business District

at a cost not to exceed \$11,323.00.

Also,

No. 2899 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 25th and 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 23-A-107, 23-A-147, 23-A-157, 46-P-361, 46-G-138, 22-D-137, 22-D-132, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2900 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Sarah White, Administratrix of the Estate of Wilbert White, and designated as Block & Lot 23-G-132 in the Deed Registry Office of Allegheny County under the RLRF, said properties having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 2901 Communication from Paul Brophy, Director, Department of Housing, requesting permission for eight employees to attend NAHRO Legislative Workshop, Pittsburgh, PA, April 10, 1981, at a cost not to exceed \$200.00 payable from Community Development Block Grant Trust Fund, Department of Housing, Administration, CDHD (HD 79-08).

Also,

No. 2902 Communication from

Paul Brophy, Director, Department of Housing, requesting permission to attend meeting with HUD Officials concerning Neighborhood Revitalization Urban Development Action Grant Application, Washington, DC, April 7, 1981, at a cost not to exceed \$180.00, payable from Community Development Block Grant Trust Fund, Department of Housing, Administration, CDHD (HD 79-08).

Also,

No. 2903 Communication from Edward deLuca, Director, Department of City Development requesting permission to attend Workshop sponsored by NAHRO and Pittsburgh Chapter of American Planning Association on Impact of Federal Cuts, Pittsburgh, PA, April 10, 1981, at a cost not to exceed \$40.00, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Development.

Also,

No. 2904 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Richard Smith, Joe Imbimbo and Anna Harbin to attend Workshop on Housing, Community Development, Economic Development, Rural and Neighborhood Concerns, sponsored by NAHRO and Pittsburgh Chapter of American Planning Association, Pittsburgh, PA, April 10, 1981, at a cost not to exceed \$95.00, payable from Community Development Block Grant Program, Administration, Department of City Planning, CDPA.

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone presented**

No. 2905 Resolution providing for

the issuance of a \$3,223.55 warrant in favor of J. C. Penney Casualty Insurance Company and Larry Sanders for automobile damage and car rental as the result of a collision with a City Police vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 2906 Resolution providing for the issuance of a \$1,244.60 warrant in favor of Edward Gasior for auto damage by a Department of Public Works vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 2907 Resolution amending a portion of Resolution No. 1329, approved 12/12/80, entitled, "Providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training) and providing for the payment of the costs thereof.

Also,

No. 2908 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer, Mayor's Office to attend Pennsylvania League of Cities Meeting, Harrisburg, PA, April 7, 1981 and meeting with Secretary of Transportation concerning Bloomfield Bridge, Washington, DC, April 8, 1981, at a cost not to exceed \$275.00, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 2909 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission

requesting permission for Barbara Howel and Rose Nagy, to attend Department of Labor Summer Youth Employment Program Meeting, Philadelphia, PA, April 14-16, 1981, at a cost not to exceed \$750.00, payable from CETA Trust Fund.

Also,

No. 2910 Communication from Ronald Schmeiser, City Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of February 27, 1981.

Which were severally read and referred to the Committee on Finance.

#### The Chair presented

No. 2911 Petition from the Concerned Mothers of Terrace Village, Inc., requesting a public hearing with City Council for Emergency Funds to help keep the Terrace Village Multi-Purpose Facility Building from closing.

Also,

No. 2912 Communication from Norbert C. McDermott, Jr., Comptroller, Allegheny County Sanitary Authority submitting the 1980 Audit Report of Touche Ross Company together with a copy of the 1980 Census of Sewer Utilities in Pennsylvania, as required by Section 8 of the Municipality Authorities Act of 1945.

Which were read and referred to the Committee on Finance.

#### The Chair:

I wonder if we could all stand for a moment please to observe a moment of silence in respect for the passing of

Councilman O'Malley's grandmother and also the grandmother of Carmene Collier, who is a member of our staff.

#### **MOMENT OF SILENCE**

Thank you.

#### **UNFINISHED BUSINESS**

##### **The Chair presented**

Bill No. 2913

March 25, 1981

Mr. Michael Perry, City Clerk  
City Council  
510 City-County Building  
Pittsburgh, PA 15219

Dear Mr. Perry:

Please withdraw the names of Ms. Annie Blackwell and Mr. Harold T. Bushey from the nominees selected to the Minority Business Enterprise Review Committee.

The private sector appointees were selected primarily on the basis of their demonstrated effectiveness in addressing minority business concerns; however, I have received information that the residency of the aforementioned appointees has become an issue. Please be advised that I will forward two additional nominees for Council consideration.

Very truly yours,

Richard S. Caliguiri  
Mayor

RSC/las

Which was read, received and filed.

Also,

Bill No. 2815

Resolution approving the appointment by the Mayor of Betty Pickett of 355 Fifth Avenue as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read.

Also,

Bill No. 2817

Resolution approving the appointment by the Mayor of John Gabriel, 9th Floor City-County Building as a member of the Minority Business Enterprise Committee for a term to expire April 1, ~~1983~~ 1982.

Which was read.

Also,

Bill No. 2819

Resolution approving the appointment by the Mayor of Alan Bouffard, 3rd Floor City-County Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read.

Also,

Bill No. 2821

Resolution approving the appointment by the Mayor of James E. Simms of 517 City County Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1983.

Which was read.

Also,

Bill No. 2823

Resolution approving the appointment by the Mayor of Reginald Young, 7th Floor Public Safety Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read.

Also,

Bill No. 2825

Resolution approving the appointment by the Mayor of Gloria Fitzgibbons of 200 Ross Street as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read.

Also,

Bill No. 2829

Resolution approving the appointment by the Mayor of John Adams, One Oliver Plaza as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read.

Also,

Bill No. 2831

Resolution approving the appointment by the Mayor of Bernard Liff of 317 S. Dallas Avenue as a member of the Board of Standards and Appeals for a term to expire in June, 1982.

Which was read.

**Mr. Stone:**

Didn't we get two new

appointments Mike?

**Mr. Perry:**

Yes.

**Mr. Stone:**

Okay, read those two Mike and I'll move to approve them all.

**The Chair presented**

Bill No. 2915

Communication from Richard S. Caliguiri, Mayor, submitting the name of Jan Neffke as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read, received and filed.

Also,

Bill No. 2916

Resolution approving the appointment by the Mayor of Jan Neffke of 614 Bellefonte Street, Pittsburgh, 15232, as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read.

Also,

Bill No. 2917

Communication from Richard S. Caliguiri, Mayor, submitting the name of Herman Reid as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982.

Which was read, received and filed.

Also,

Also,

Bill No. 2918

Resolution approving the appointment by the Mayor of Herman Reid of 2003 Law & Finance Building as a member of the Minority Business Enterprise Review Committee for a term to expire April 1, 1982 1983.

Which was read.

**Mr. Stone:**

Have we corrected those dates now? The Mayor was going to submit some changes on dates. Does anyone know about it?

**Mr. Perry:**

I don't know about dates.

**The Chair:**

Wasn't it a term of a year Bob?

**Mr. Stone:**

No, half of the citizens, so to speak, were going to have longer terms than a year and he was going to reduce some of those public officials.

I move for adoption and approval on all of the candidates subject to the Mayor making those changes on those particular individuals and that those changes be reflected in the minutes.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any discussion on the appointments?

And on the question, "Shall the appointments be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

**AYES 8**

**NOES none**

And a majority of the votes of Council being in the affirmative the appointments were approved.

**Mr. Robinson:**

Mr. President if I might that I think the individuals that the Mayor has recommended are very fine individuals, I think they bring to us a diversity of experience, of proven dedication and I am confident that their participation along with Council and the Administration is indeed going to make this program meaningful. One of the things I think we should keep in mind is that the objective is to open up opportunities to all people of the City of Pittsburgh so that ultimately, people will indeed be a part of the initial process, the middle process and the final process and I am confident that these individuals have that kind of dedication and spirit and I am very proud that they are willing to serve the people of this City.

**Michelle Madoff:**

Mr. Robinson, may I ask you a question? I was reading this weekend, there seems to be a large movement on the part of women to move into blue collar jobs and into labor jobs. Will there be some emphasis put on women in this bill? It is not only minority, but it is women as well, I believe.

**Mr. Robinson:**

Council Bill No. 2171 (Ordinance No. 1, 1981) very specifically relates to women and minorities and I would hope that particularly, the women who are serving on the committee would address that issue but the bill very specifically is designed to open up opportunities for women.

If I might Mr. President, it might be appropriate at this time to request that the City Clerk include in our public record our correspondence with the Mayor relative to this issue and his responses to us.

**CORRESPONDENCE TO THE MAYOR  
AND RESPONSES RELATIVE TO THE  
MINORITY BUSINESS ENTERPRISE  
REVIEW COMMITTEE:**

March 17, 1981

Honorable Richard S. Caliguiri  
Mayor  
City of Pittsburgh

Dear Mayor Caliguiri:

At the Regular Meeting of Council held on March 16, 1981, relative to your appointments to the Minority Business Enterprise Review Committee, Councilman Robinson expressed concern over the terms of office for these appointees. The concern lies in the fact that the appointees from the private sector will serve one year terms and the appointees from the public sector will serve two year terms. Mr. Robinson requested that you consider making alterations so that some appointees from the private sector will have two year terms and some of the appointees from the public sector will have one year terms.

Councilman Robinson also raised concern over the fact that those appointees that would serve from the

private sector were listed at their business addresses. Mr. Robinson requested that you inform this office whether or not these appointees will be serving in their professional capacity or as private citizens.

The appointments, held for two weeks, will be back in Council on March 30, 1981. You are requested to submit this information prior to that date.

Sincerely,

Michael Perry  
City Clerk  
/jrm  
cc: Councilman Robinson

**RESPONSE FROM MAYOR CALIGUIRI:**

March 25, 1981

Michael Perry, City Clerk  
City Council  
510 City-County Building

Dear Mr. Perry:

In response to your letter of March 17, 1981, in which you raised concern regarding the appointees to the Minority Business Enterprise Review Committee, please be advised of the following:

Councilman Robinson's amendment to the legislation creating the private development review authorization function and the nine member Minority Business Enterprise Review Committee called for one- and two-year terms. As you know, the City's MBE Committee has been functioning for three years and in that time has analyzed, reviewed and recommended policy changes which I have implemented in cooperation with City Council. The two-year appointment of public sector people is to maintain continuity of the process and to provide staff support and in-house expertise to



the Committee. In addition, I am aware of the many obligations held by the private sector appointees and felt it prudent to ask them to volunteer their services for a one-year appointment. It is possible to re-appoint the private sector representatives if they are willing to serve for an additional term.

Your letter also raised the question of whether the private sector appointees were serving in their professional capacity or as private citizens. It is my intention to appoint the most competent available to serve on a committee of such importance. The demonstrated skills, sensitivity and overall competency of the appointees was my primary concern. It has since been brought to my attention that the residency of two appointees has become an issue. In a separate letter I have addressed this matter.

Very truly yours,

Richard S. Caliguiri  
Mayor

RSC:las

**END, CORRESPONDENCE AND  
RESPONSE FROM MAYOR.**

**Michelle Madoff:**

What is the ratio of men to women on that committee? Do you know off hand?

**Mr. Robinson:**

Mr. President, to answer Mrs. Madoff's question concerning the Minority Business Enterprise Review Committee and the composition, I believe that there are three women on there --

**Michelle Madoff:**

Out of how many?

**Mr. Robinson:**

Out of nine. Miss Pickett, Mrs. Fitzgibbons and Mrs. Neffke.

**Michelle Madoff:**

Well we only make up 51% of the population, we are entitled to at least a third.

## **REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 2919

Report of the Committee on Finance for March 25, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2768

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Ellis Real Estate Company, in the amount of \$3,000.00 in payment for professional services furnished for the benefit of the city in connection with an appraisal of the Air Rights over Cherry Way between Third Avenue and Fourth Avenue, 1st Ward, and an appraisal of the fee subject to surface easement or dedication to the City of Pittsburgh; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2782

Resolution entitled, "Resolution further

amending Resolution No. 800, effective September 26, 1980, as amended by Resolution No. 1310, effective December 17, 1980, entitled, 'Authorizing the issuance of a warrant in favor of R. Richard Funk in the amount of \$4,010.00 Dollars in payment for work performed at Arlington Heights Recreation Center, furnished for the benefit of the city without previous authority of law' by decreasing the authorization to the actual amount expended."

Which was read.

Also,

Bill No. 2789

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$3,990.00 in favor of Wright Demolition & Excavation Co., 500 Brushton Avenue, Pittsburgh, PA 15208, in payment of contract for the emergency demolition and removal of 3 story double brick dwelling located at 1706-1708 Locust Street, Ward 0102, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 2790

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$1,850.00 in favor of Ace Demolition Inc., 3810 Crooked Run Road, North Versailles, PA 15137, in payment of contract for the emergency demolition and removal of 2 story frame church located at 7010 Hamilton Avenue, Ward 1303, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 2801

Resolution entitled, "Resolution providing for the issuance of a \$994.92 warrant in favor of Elizabeth Grossman in full settlement of claim for automobile damage."

Which was read.

Also,

Bill No. 2802

Resolution entitled, "Resolution providing for the issuance of a \$751.06 warrant in favor of Bell Telephone Company in full settlement of claim for damage."

Which was read.

Also,

Bill No. 2803

Resolution entitled, "Resolution providing for the issuance of a \$1,551.79 warrant in favor of Bell Telephone Company in full settlement of claim for damage."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens

Mr. O'Malley  
Mr. Robinson

Michelle Madoff      Mr. Stone  
Mrs. Masloff        Mr. DePasquale  
                              (Pres't)

AYES    ■                NOES   none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 2920

Report of the Committee on Public Works for March 25, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also,                with                an                affirmative recommendation,

Bill No. 2774

Resolution entitled, "Resolution granting unto Crump Incorporated, 470 Mall Circle Drive, Monroeville, Pennsylvania 15146, its successors and assigns, the privilege and license to construct, maintain, and use, at its own cost and expense, an electrical vault in a portion of the sidewalk of Sixth Street in the First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2775

Resolution entitled, "Resolution amending Resolution No. 812 approved August 19, 1980, effective August 25, 1980, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the surveying of Boundary Street, and providing for the

payment of the cost thereof', by increasing the total project allocation."

Which was read.

Also,

Bill No. 2776

Resolution entitled, "Resolution amending Resolution No. 310, approved April 18, 1980, effective April 25, 1980, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the design of the Golden Triangle Computerized Traffic Signal System (PW78-16); and providing for the payment of the costs thereof', by increasing the total allocation to Three Hundred Thousand (\$300,000.00) Dollars."

Which was read.

Also,

Bill No. 2777

Resolution entitled, "Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, as amended by Resolution No. 206, approved February 26, 1981, effective March 6, 1981, entitled 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program' by adding a new project line item and redefining the funding sources."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No.

Report of the Committee on Planning, Housing and Development for March 25, 1981 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2437

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 8 by changing from 'R3' Multiple-Family Residence and 'C1' Neighborhood Retail Districts to 'R2' Two-Family Residence District certain property in the Beltzhoover area generally bounded by: West Warrington Avenue; Beltzhoover Avenue; Vandalia Street; Amesbury Street and Boggston Avenue, 18th Ward."

Which was read.

Also,

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Bill No. 2545

An Ordinance entitled, "An Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question as to whether or not said voters are in favor of continuing or amending the Home Rule Charter to provide for the election of City Council members: 1) at large, or 2) by districts only, or 3) on a combination or district and at large basis." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Stone:**

Mr. President, on Bill No. 2545, I would like to make the following amendments --

**Mr. Flaherty:**

Point of clarification Mr. President

--  
**Mr. Stone:**

Do I have the floor?

**Mr. Flaherty:**

Yes, but Rule 8, Section C reads, "All amendments made to any bill proposing an ordinance or resolution shall be printed for the use of members before the final vote is taken on the bill". I have no written amendment in front of me, I don't know if anyone else does.

**Michelle Madoff:**

And I was severely chastised by Mr. Stone by trying to amend, from the floor, his amendment.

**Mr. Stone:**

I think you can amend the bill but you can't put a substitute bill, and he is misconstruing what he is talking about.

**The Chair:**

Mr. Parliamentarian, we have a problem.

**Mr. Stone:**

I would like to give the amendment and then at that time if the --

**Mr. Flaherty:**

Well, could I have a ruling on my --

**The Chair:**

Mr. Mulvihill, did you hear the question Mr. Flaherty posed?

**Mr. Mulvihill:**

The rule as I understand it is that

the bill may be amended any time up until final passage.

**The Chair:**

Okay, thank you.

**Michelle Madoff:**

Excuse me, I'm sorry that wasn't said the other day when I tried to amend a bill and was told by Mr. Stone I couldn't do that and Mr. Robinson read from the Charter.

**Mr. Stone:**

I never told you that.

**Mr. Flaherty:**

I have a question.

**Mr. Stone:**

Mr. President if I may --

**The Chair:**

Mr. Flaherty you asked for a point of clarification, you got it.

**Mr. Flaherty:**

Well could I have some more clarification from our Solicitor?

**The Chair:**

You can have all you want.

**Mr. Flaherty:**

Mead, the way Section C reads it says, "All amendments made to any bill proposing an ordinance or resolution shall be printed for the use of members before the final vote is taken on the bill". I presume we are going to take a final vote today on the bill and we don't have

any printed amendment.

**Mr. Mulvihill:**

Mr. President, the sole procedural matter is within the body of City Council, if City Council decides to act on Mr. Stone's amendment it can do so.

**Mr. Flaherty:**

Yes but wouldn't Council have to vote on that to waive Council rules?

**Mr. Mulvihill:**

If that were the wish of Council it can do so.

**Michelle Madoff:**

That is not what he asked you, he said would they have to do that? Is that what the law says?

**Mr. Mulvihill:**

I would think the action of voting would be tantamount to a waiver of the rule.

**Michelle Madoff:**

Well then may I ask a question? Why was I told last week when I wanted to amend the bill that indeed I couldn't do that and now we can do it. What? Are there different rules every week Mr. President?

**The Chair:**

If I recall you wanted a substitute bill Michelle.

**Michelle Madoff:**

The same bill. I wished to amend the bill and I was told by Mr. Robinson who read exactly what Mr. Flaherty has

just read now that I could not do that and it is now the legal opinion of the Law Department that indeed, until the time of final vote, we can amend the bill. Now what? Do we have different rules every week?

**The Chair:**

It is not very consistent, but if you say so —

**Michelle Madoff:**

No, it certainly isn't very consistent, because if they don't like what we are voting on we don't vote on it, that person is ruled out of order.

**Mr. Givens:**

Mr. President, there is also another rule within Council that says that any legislation brought before this Council, resolution or amendment I think, must be in writing 24 hours before this body meets —

**Michelle Madoff:**

We have never adhered to that.

**Mr. Givens:**

But, I have to say that we have not adhered to that in a consistent manner but that is one of our own councilmanic rules, but as Mead Mulvihill has so indicated, Council can change the rules at will.

**Mr. Flaherty:**

Well, I believe then we should have a vote if we are going to change the rules. That is the democratic way, to have a vote.

**Michelle Madoff:**

When did we become democratic?

**Mr. Robinson:**

I raised the issue of Council rules about two or three weeks ago because there seemed to be some confusion as to which rules we were using if any at all. I think the public record will reflect my comments in that regard, specifically relating to the comment that Mrs. Madoff made. I read that particular rule and another rule so that we could get some clarification and information that there are rules of Council, that this Council adopted and we re-organized in 1980. It is my understanding that those rules are in effect until such time that we either change them pursuant to the rules or take the action that Mr. Mulvihill suggested, that is some action that obviously would supercede the rules. It was not my intention to suggest that there are different sets of rules. It has been my intention to try and determine what the rules are and to apply those rules. I think Mr. Mulvihill has given us some clarification and if I might in some way add one other comment, I would assume that unless Council takes some action that supercedes the rules that we are always supposed to operate under Council's rules. If we could get some clarification as to when we are operating under those rules and when we are not it would be much easier for those of us who want to supercede the rules, to do that in such a fashion that is not only legal but consistent.

**Michelle Madoff:**

I think the facts speak for themselves Mr. Robinson, when it is unpopular you are ruled out of order.

**The Chair:**

Bill, not to put Michelle Madoff or

Councilman Flaherty down, but we have been operating under these procedures now since, I don't know, since I've been on Council anyway and everybody here you might say, has been guilty of making an amendment to a ordinance somewhere along the line and all of a sudden now it is so wrong. If it is and we are doing wrong then we have been doing wrong for 10 years —

**Michelle Madoff:**

We were just told we were not doing wrong Mr. President. Mr. Mulvihill said the mere action of doing it and if Council accepts it we are not doing wrong, then why was I told that I was wrong and now Mr. Stone is allowed to operate by Robert Rade Stone Rules.

**The Chair:**

I hear you Michelle, I don't know why you were told you were wrong, Mr. Mulvihill wasn't here —

**Mr. Flaherty:**

A point of clarification Mr. President. This is an extremely serious issue. We had an all day public hearing on it, I think there is a lot of public interest in this bill. All I am asking for is for a vote to suspend the rule change. I don't see anything wrong with that, any legislative body in this country, to suspend the rules, has to have a majority of the members, otherwise we are just going to go along rules that suit whoever is in power.

**The Chair:**

Mr. Stone, would you withdraw your motion?

**Mr. Stone:**

No I won't. First of all, everyone

on this Council has made amendments on Monday to the bills, we have changed funding agencies, we have changed names, we have changed everything and that is the same connection with which I am making the motion and in that connection I now would like to —

**Mr. Flaherty:**

But that has been in violation of the rules.

**Michelle Madoff:**

Out of order — I tried to amend a bill on Wednesday and I was ruled out of order.

**Mr. Flaherty:**

Two wrongs don't make a right. That has been in violation of the rules and it is about time this Council started adopting and living by the rules of the Council or throw the rules out the window.

**The Chair:**

You're breaking all the rules right now, you are completely out of order, I'm going to ask you one more time Mr. Stone, do you want to withdraw you motion?

**Mr. Stone:**

I would like to make the motion.

**Michelle Madoff:**

You cannot make the motion if I cannot make my motion in advance.

**The Chair:**

The motion is in order.

**Michelle Madoff:**

Mr. President, I was ruled out of order when I tried to amend the bill on Wednesday.

**The Chair:**

Who moved you out of order.

**Michelle Madoff:**

You did Sir, Mr. Robinson read,—

**The Chair:**

Then I might be wrong,—

**Michelle Madoff:**

...and everybody said I couldn't amend the bill.

**The Chair:**

...but I think he is wrong, but the Parliamentarian said he is not wrong.

**Michelle Madoff:**

But if you are going to allow him to amend it I have to be allowed the same privilege and I did it earlier.

**Mr. Flaherty:**

Mr. President, it is my interpretation that the City Solicitor —

**The Chair:**

Look, you said this is a very serious matter, now all, and as far as I'm concerned, half of the members of Council are confusing the whole issue. Now there is an amendment on the floor — there is a motion on the floor —

**Mr. Flaherty:**

But it is in violation of the rules. It is in violation of Council's rules Mr.



President. Why are you opposed to having a vote? Accountability.

**Mr. Stone:**

May I have the floor?

**Michelle Madoff:**

No you cannot have the floor.

**The Chair:**

I asked him to withdraw his motion, he won't withdraw it. Mr. Stone, you have a motion on the floor.

**Michelle Madoff:**

He cannot have a motion on the floor.

**Mr. Flaherty:**

He is in violation of Council's rules.

**The Chair:**

Parliamentarian, is the motion in order?

**Michelle Madoff:**

Unless I am allowed the same privilege.

**Mr. Flaherty:**

He is in violation of Council's rules.

**The Chair:**

Okay, there is a motion on the floor.

**Mr. Stone:**

Mr. President, if I may, I would like to amend —

**Michelle Madoff:**

That means I have the same option

**The Chair:**

Will you please hear the motion and act on the motion?

**Michelle Madoff:**

Mr. President, Mr. Mulvihill just said —

**The Chair:**

It is your prerogative to vote against the motion, the motion is allowed. Go ahead Mr. Stone.

**Michelle Madoff:**

Mr. President, Mr. Mulvihill said I had the same prerogative, I made the motion first of all that I should come first —

**The Chair:**

Continue Mr. Stone.

**Mr. Stone:**

I would like to make the following motion to Bill No. 2545. I would like to delete the words, "continuing or" in the first portion of it and it will read, "in favor of amending the Home Rule Charter", and then when you move down to Section 1, paragraph —

**Mr. Flaherty:**

Wait a minute, wait. Mr. President, could we recess to look at this on paper? He is going through amendments on a very complicated bill, it is ramrodding this through Council and I move for a five minute recess to get it

on9 paper.

**The Chair:**

Continue Mr. Stone.

**Mr. Stone:**

If everybody will turn to 2545, I'll make it real easy for you.

**Michelle Madoff:**

Because we're not too bright he is going to make it easy.

**Mr. Stone:**

On the third line where it says, "voters are in favor of", I want to delete the words, "continuing or". In Section 1, paragraph 1 where it says, "Section 301 of the Pittsburgh Home Rule Charter", I want to delete the word, "continue" and insert in its stead, "be amended" —

**Mr. Flaherty:**

Wait, could you please repeat that?

**Michelle Madoff:**

What is the purpose?

**The Chair:**

Read it again Bob so everybody understands it please.

**Mr. Flaherty:**

Wait a minute, let's —

**Mr. Stone:**

On the second line take the word, "continue" out and in its stead place the words, "be amended" —

**Michelle Madoff:**

In favor of being amended? That doesn't make sense —

**Mr. Stone:**

..."Charter be amended to provide", and then the last amendment, delete completely, "Council may, however by ordinance decide that all members shall be elected by district". It is the last line in the first portion. Okay, does everybody understand it? That is my motion.

**Mr. O'Malley** seconded the motion.

**Mr. Flaherty:**

Question, I want a ruling from our Solicitor. Does this change the first question now from an advisory question to a binding question?

**Mr. Mulvihill:**

In my opinion it does change it from advisory to binding.

**Michelle Madoff:**

I want clarification on that please, does that mean that when the public votes on one, two, three, or possibly four, five, when the public comes in with their petitions, with their motions and make it five, four or whatever, or one, nine, or one, eight, that would then be binding, you take one of any number on the ballot, right now be three motions.

**Mr. Mulvihill:**

The ones that are on the ballot.

**Michelle Madoff:**

Right, there could be six, there could be three, there could be four, at the moment there are three.

**Mr. Mulvihill:**

If this passes there will be three.

**Michelle Madoff:**

But we do have the right without going to referendum -- Council has the prerogative as of this moment to bite the bullet and vote at large and we don't have to go to referendum, is that correct.

**Mr. Mulvihill:**

That is.

**Michelle Madoff:**

Excuse me, to go district as opposed to at large. That would save tremendous dollars in putting those referendums which could become multitude, on the ballot. What kind of dollars are we talking about, do you have any ballpark figures?

**Mr. Mulvihill:**

No I don't.

**Michelle Madoff:**

Thousands and thousands of dollars, I am educating the public.

**Mr. Flaherty:**

Question, is it not true that however this question is going to be worded on the ballot that it will have to be worded under the jurisdiction of State Election Law?

**Mr. Mulvihill:**

The Election Board frames the question.

**Mr. Stone:**

Can we speak to the amendment first instead of the bill?

**Michelle Madoff:**

We can't speak to the amendment unless we get clarification.

**Mr. Flaherty:**

I am speaking to the amendment Councilman Stone. Councilman Stone, without this amendment, would you feel that your three questions would be advisory or would some of them be advisory or would all of them be binding, without amending this bill?

**Mr. Stone:**

Mr. Flaherty, it was my intent to make the choices available on a binding relationship by the citizens of the City of Pittsburgh, Mr. Mulvihill in his legal opinion has indicated that the first question may be advisory, it may not be, but in order that the choices, all of the choices, should go before the citizens of the City of Pittsburgh, I am making this amendment and in view of his present legal opinion that it is a substantial change and therefore, an amendment to the Charter, it is my desire as I have said all along, to let the citizens of the City of Pittsburgh once and for all, vote on all options and I will abide by their decision.

**Mr. Flaherty:**

Okay, Councilman Stone, is it your belief that this is going to be a preference question?

**Mr. Stone:**

I would have to leave that decision to the Election Board --

**Mr. Flaherty:**

I think this is the crux of the whole matter. Is this going to be a preference question? Because I have thoroughly researched this and there is no statute in State Election Law that calls for a preference question. I care to read --

**Mr. Stone:**

Your statement is correct, I didn't make it as a preference matter, it is my belief that the citizens of the City of Pittsburgh ought to determine their own destiny as to how they want their Council to be elected and rather than give them one alternative, I am giving them the alternative that I heard that were propounded at a public hearing and having heard those I am giving all the alternatives to them and as I have indicated earlier, however they vote I will abide their decision.

**Mr. Flaherty:**

Okay, well I would like to refer to public law 1333 which states, "The official question shall vary in form only as the names of the districts office candidates or provision of this act may require.

When constitutional amendments or other questions are submitted to a vote of the electors, each amendment or question so submitted may be printed upon the ballot below the group of candidates for the various offices and when required by law, shall be so printed. Constitutional amendments so submitted shall be printed in brief form to be determined and other questions so submitted shall be printed in brief form to be determined. To the right of each question there shall be placed the words yes and no together with appropriate squares to the right of each for the convenient insertion of a crossmark."

Now, let's take for example, since no one now can contradict this or state

another statute, I believe we have three questions on the ballot. Councilman Stone, is there not a possibility that all three of these could receive a majority yes vote?

**Mr. Stone:**

Well, that will be left up to the Election Board, but I would hope that they would be able, after a vote is made, to close out the other --

**Mr. Flaherty:**

Well, what I'm saying --

**Mr. Stone:**

So we won't have a contradiction.

**Mr. Flaherty:**

What I am saying, if the Election Board is under the jurisdiction, under the precedent of State Election Law, there is no statute that allows a precedent question and so what you could conceivably have, it is absurd, this amendment. Because you could possibly have 27 members of Council elected simultaneously, or maybe you'll just have 18 members of Council elected. This amendment, your amendment is either incompetent -- I don't know what your intentions were, but it is either incompetent, or it is an intentional act to confuse the public and voters, which would probably eventually lead to killing my original substantive proposal.

**Mr. Stone:**

I'll speak to that if I may, after the question, call for the question.

**Michelle Madoff:**

Well how can we speak to it after we call for the question? I don't want to

have the call for the question until you clarify it.

**Mr. Stone:**

Call for the question.

**Mr. Flaherty:**

I move that we hold this until we get legal clarification on this issue Mr. President because --

**Michelle Madoff:**

I second that motion.

**The Chair:**

A motion prevails, a motion prevails okay?

**Mr. Flaherty:**

There is a serious question here, we don't know if we are talking -- we are not talking a preference --

**The Chair:**

Tom, we had a clarification from the Parliamentarian --

**Mr. Flaherty:**

Well, could I have clarification --

**The Chair:**

If you're not willing to accept it I'm sorry, but we are going to continue with the motion.

**Michelle Madoff:**

That was not clarification on that issue.

**The Chair:**

There was a second and discussion.

**Mr. Flaherty:**

There is no clarification on this amendment Mr. President, and I wish to ask clarification now of our solicitor, if the County Election Board has the power to put a preference question on the ballot and if they do, I would appreciate it if you would cite that statute?

**Mr. Mulvihill:**

I think I understand your question and I do not understand the context in which you are using the word preference. I understand these to be three alternative Charter amendments, not a matter of preference, but binding referenda on the question of Charter amendments. The section which you cited from the Election Code is substantially paragraph six in my opinion and it does require the yes and no placement. How that would be handled mechanically by the Election Board is not a proper question for me to attempt to answer. I believe it is within their capacity to lock out other answers, if there is one yes I believe they are capable of locking out the rest of the answers.

**Mr. Flaherty:**

Well, that would be a preference question then wouldn't it?

**Mr. Mulvihill:**

If you are talking about semantics.

**Mr. Flaherty:**

Well, could we have clarification right now since it seems to be the wish of certain members of this Council to vote on this issue finally today?

**Michelle Madoff:**

Why don't we hold it until we find out?

**Mr. Flaherty:**

Yes.

**Mr. Mulvihill:**

I can only answer your question as I did before, I believe there are three alternative binding questions, referendum questions, which would, if enacted, or if voted on by the voters, amend the Pittsburgh Home Rule Charter.

**Mr. Flaherty:**

Okay, then each of those questions require a yes and no under them? Right?

**Michelle Madoff:**

Not necessarily, you can block them --

**Mr. Flaherty:**

No, now wait. Each of them require a yes and no?

**Mr. Mulvihill:**

The statute requires a yes and no block be placed. How they would lock the machine to control that kind of a result that you predicted might happen, I don't know, that is a question purely for the electorate.

**Michelle Madoff:**

On the same subject Mr. Mulvihill, when you say binding on the election, what do you mean by binding? Do you mean that if indeed Mr. Stone's three amendments were placed on the ballot and possibly one or two others with the petitions that are being circulated,

perhaps to go entirely in some other direction, it might be three or four, whatever the results, providing we assumed the Election Board has some way of locking it, came up with one conclusion, would that be binding on the Election Board?

**Mr. Mulvihill:**

The answer to that question is yes, it would be an amendment to that section of the Charter.

**Michelle Madoff:**

Then it would become the law of the City?

**Mr. Mulvihill:**

That is correct.

**Mr. Flaherty:**

I have a question Mead. In the interest of public clarity, would you not say that this is a very essential question as to if the levers will be locked in any fashion? Would you see anything wrong, or do you think in a weeks time you could have a solid clarification on this issue?

**Michelle Madoff:**

The mechanism, how it functions.

**Mr. Flaherty:**

The mechanism.

**Mr. Mulvihill:**

That is solely a matter for the Election Board, it is not a legal question, it is a question for them to work out in their determination of the placement on the ballot Mr. Flaherty.

**Michelle Madoff:**

But the question Mr. Flaherty is asking is can it be worked out?

**Mr. Givens:**

One of my concerns on Wednesday was something along this line when I asked our solicitor to at least touch base with the Commissioners and the Election Board which is more than the Commissioners, there are five members of that Board if I am not mistaken, including that of the Controller of the County and that of the Bureau of Election. I think there are five members in that particular board. I can only say that this Council had passed an ordinance once before some years back which I submitted, which the Mayor vetoed, we overrode that veto, went over to the Commissioners and they denied it being put on the ballot because again, the State of Pennsylvania is not a referendum state. We don't have some of the liberties that other states have. However, I am very concerned, if there are three questions on there, that 10% or maybe 12% of those people who vote in that particular election will decide what form of government this Council is supposed to be mandated under. I have great reservations on that and I would like a clarification from the Commissioners. However, I have to agree that the Commissioners are not going to decide anything until we send them some legal document over there, so it puts us over a barrel in a way. We can approve this what is before us this afternoon, the Commissioners can reject it or the Commissioners can put it on and if they do so, then we possibly might have 10% or 12% or 15% of those people who vote in that particular election deciding what form of Government we have and I think that is a very serious question that we should consider, if there is some way that we can make a provision on this ordinance as it goes over to the Commissioners, that if they can only

vote for one, if they could only vote for one I would almost accept it, if they can vote for all three then I have a problem.

**Michelle Madoff:**

Mr. President, you can't force people to go to vote, you can't drag them to the voting polls.

**Mr. Flaherty:**

Point of clarification for Councilman Stone. Is it your intent that the voter have freedom to vote on all three of these questions, yes and no, without any mechanical changes through a ruling by the County Board of Elections?

**Mr. Stone:**

I'm afraid I don't understand the question.

**Mr. Flaherty:**

Is your --

**Mr. Stone:**

Let me try this, maybe it will help you. It is my intent to give them a choice and the choice that they make, as when I talked to Mr. Dixon, the hope was that at that point if you voted for one it would shut out everything else, so you are voting for your choice as to what you want in the City of Pittsburgh, to be the type of government that you want.

**Mr. Flaherty:**

Well that is amazing Mr. Stone, because what this is, and it is as clear as day now, there are three questions on the ballot, it is just like I said at the hearing, it is divide and conquer. There is one at large question and anyone that is opposed to the at large system -- then what is

going to happen, that opposition is going to be split two different ways --

**Mr. Givens:**

Well Mr. Flaherty what are you doing right now by proposing your one particular bill? You are dividing too --

**Mr. Flaherty:**

No, you vote it up or down, you vote it yes or no.

**The Chair:**

The question is called for --

**Mr. Flaherty:**

Mr. President, don't I have the right to express my point of view on this Council?

**The Chair:**

Who seconded the motion?

**Mr. Flaherty:**

Isn't anybody on this Council going to back me up?

**Mr. O'Malley:**

Call for the vote, I seconded the motion.

**Michelle Madoff:**

If it is the intent of the bill to give people a free choice so that they can indeed, once and for all vote, that they would go for all at large, all district, or a choice of 7 - 2, if the mechanics can be worked out in such a way, I certainly would support the public having the vote. I would vote only opposed on the basis that I would like one week to find out from the Election Board how the

mechanics would work. I am voting no.

**The Chair:**

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken agreeably to law, and were:

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6                      NOES 2  
(MR. FLAHERTY AND MICHELLE  
MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the amendment was approved.

**The Chair:**

Is there any discussion on the bill itself?

**Mr. Flaherty:**

Mr. President, I move to recommit Bill No. 2545.

**Michelle Madoff** seconded the motion.

**The Chair:**

There is a motion to recommit and a second, a roll call vote Mr. Clerk.

**Mr. Flaherty:**

I would like to state my reasons --

**The Chair:**

There is a motion to recommit and



there is a second, now a vote.

**Mr. Flaherty:**

Isn't there any discussion on this issue?

**The Chair:**

Do you want to discuss it?

**Mr. Flaherty:**

Yes, I would like to state the reasons why I feel that we must recommit this bill. First of all, I believe the first question, even amended, is superfluous, if not absurd. Council is already elected at large, okay? Secondly, the second question for the most part, Council already has the power to change from all at large to all by district, and I feel that we are sloughing that responsibility off and I would just like to say that we are making \$27,500 a year here --

**Mr. Stone:**

I'm only making \$22,500.

**Mr. Flaherty:**

Okay, sorry, half of us are only making \$22,500 --

**Michelle Madoff:**

And have only one source of income for those of us making \$27,500.

**Mr. Flaherty:**

But in light of change and I believe the public does want change, seven years ago during the Home Rule Study Commission, people by as close as a three to one margin were in favor of changing from an at large structure -- just the public hearing we had here a

week and a half ago, the margin was four to one in favor of change. Every media outlet; radio, t.v., newspaper that has had any editorial on this issue has asked for change. That comes to approximately seven major communicators to the public. I believe that the public should have a fair question, a fair shot. The only substantive question was my original plan which was the third question which calls for a seven and two.

I just want to add that I believe, as I said earlier, that this is a clear case of attempting to confuse the voters and it is putting the people that are adverse to an at large system, it is dividing their strength up. It is a clear case of that. The Post Gazette referred to it today -- "The Buck Passing on City Council" -- it is a grab bag that is going to confuse the voters. I think the public is aware of this, and I would just like to state for the public record, it is quite ironic that the six members of Council who are opposing this have publicly, in one form or another, came out very strong in regard to the concept, my bill, which called for I believe, a compromise in regard to district representation and it is ironic, the two people that were for change, for district representation, are opposed to this bill. The reason why is because this will not give us district representation.

**Mr. Givens:**

Mr. President, I would like to rebut what Mr. Flaherty has so indicated here, I was probably one of those people that he was talking about in saying if we went by district. How can any citizen out there feel of their representative, one who puts in a six and three form of Councilmanic government, then a seven and two and now he is advocating a nine and zero. Maybe if we wait a little bit longer he might go back to the original. My concept and my statement on

Wednesday so indicated that I feel that the at large form of government, which this Council has been working under right now has been very effective and it has been very effective since 1911. I think the City of Pittsburgh is one that is in its second renaissance in a short period of time and it stands out throughout the nation of all of the cities that I have traveled in through my past, some 25 years, I would submit to Mr. Flaherty that he might get out and take a look at some of those cities and compare the City of Pittsburgh with other cities and see how we stack up.

Secondly, it is just change for change's sake. My old cliché is, when in doubt, do without.

**Mr. Flaherty:**

Oh, well there is not doubt -- there is not doubt Councilman Givens, it was four to one in favor, but you want to confuse the issue -- yeah, when in doubt, do without.

**Mr. Givens:**

No Mr. Flaherty, I think you are adding confusion by a six - three; a seven - two; and now you want a nine and zero. Who's confused here?

**Mr. Flaherty:**

There is no doubt, four to one, what do you want? Ten to one? Twenty to one?

**The Chair:**

I'd like to make a comment, the four to one he talks about is the Pittsburgh Neighborhood Alliance --

**Mr. Flaherty:**

Doubt! Its a joke, doubt.

**Mr. Stone:**

Call the question.

**Mr. Flaherty:**

Wait, what are we moving on Mr. President?

**The Chair:**

Your motion to recommit.

**Mr. Flaherty:**

To recommit, okay.

**Michelle Madoff:**

I would like the record to reflect the article, the editorial this morning to reflect the paragraphs that I have marked which I will give to the stenographer --

**The Chair:**

Before you read it, I don't read that rag, but go ahead.

**Michelle Madoff:**

They've done numbers on me too, but I respect the media as a guardian of our right for the public to know what goes on.

**The Chair:**

That's your opinion.

**Michelle Madoff:**

And I respect your opinion.

**The Chair:**

Yes, that's right.

**Michelle Madoff:**

"The ambiguities, redundancies and modifying clauses of this three headed monster make it a lawyers' delight and a citizens' nightmare. If Council really takes seriously the question of district election, it will recommit the mischevous proposal this week and not dignify it with final consideration for it represents the worst of both theories of representative government described above."

**Mr. Givens:**

Hold it, do you feel that way Michelle?

**Michelle Madoff:**

"By referring to a referendum" —

**Mr. Givens:**

I'm glad to hear that, she doesn't like at large, good. Why did you run?

**Mr. Flaherty:**

To change it.

**Michelle Madoff:**

To improve on what goes on on this Council and I think I've done that substantially.

**The Chair:**

Let her read it. Would you give her the courtesy of reading it aloud, will you please?

**Michelle Madoff:**

"By referring to a referendum, the idea of Council totally elected by district, a proposal Council itself is able to vote up or down, the current Council would be abdicating its responsibility on a sensitive issue fully within its

jurisdiction."

Again, two items, we have the right on this Council to save thousands and thousands of dollars and you accused me the other day Mr. President, of saying if we run by district it would be more costly in help, I maintained that by district I would only need one person, whereas, now, when there are other members who are not here, who are at their other jobs, I end up with the workload on my desk as do other members of Council who are here and I need more help, so therefore, it would be a saving.

Secondly, to educate the public to the three questions becomes very, very costly. I think we have the right; we have the legal right and I think we have to be able to bite the bullet, I have said that three or four times and either vote up or down. I have no objections to Mr. Stone giving the public the right to choose once and for all, but as I think back, I remember testifying before the Home Rule Charter myself and if we go back and look at the record, we have been told so by people like Mr. Kennedy, he is here today, that the public overwhelmingly wanted election by district. The main reason I wanted help more than any other reason is for clarification from the Election Board as to whether indeed we had come up with three pieces of pie and not have a conclusion at all.

**Mr. Givens:**

The Election Board cannot act unless they have a document before them.

**Michelle Madoff:**

They have to tell us how the mechanism would work, otherwise we might have an inconclusive vote and I am

concerned about that and I think Council should be concerned about that, let's wait one week and find out how it would be handled mechanically and if indeed we would come up with a conclusion. I see your head shaking, agreeing with me.

**The Chair:**

You are going to vote "aye"? I'm not agreeing with you, are you going to vote "aye".

**Michelle Madoff:**

I am voting "aye".

**Mr. Robinson:**

Mr. President, there is no question that the public has the right to decide this issue, there is no doubt that Council has the obligation to inform the public on the matters before us. What action Council takes will affect the City of Pittsburgh for at least the next 50 years. Our economy is changing and if we either change to a new system or keep the system that we have, we have to recognize the total impact that it will have on the political, economic structure of this City. The goal of our actions should be and must be to improve the quality of life for all Pittsburghers. The future of our City hangs in the balance of our actions, our City is in the process of change, let us make our changes consistent with that economic and political progress and in the interest of all Pittsburghers, not any particular vested interest.

At this point I would like to have my letter on this matter to the Pittsburgh Courier included in the record, my letter to the Pittsburgh Post Gazette included, a copy of my public statement at the meeting I held on February 25, 1981 at Hill House and my vote on this recommittal will be yes.

**MR. ROBINSON'S SPEECH FROM THE MEETING OF FEBRUARY 25, 1981 (HILL HOUSE):**

**Mr. Robinson:**

As Chairperson of Pittsburgh City Council's Committee on Planning, Housing & Development, and as an individual member of Council who not only advocates an open door policy on issues effecting the general population of our City, but who also works in that regard, I am holding this public meeting to ascertain, to determine, to hear from Pittsburgh's Afro-American leadership and individuals, their concerns relative to two pieces of legislation that have been introduced into this particular committee, Planning, Housing & Development, Councilman Tom Flaherty.

The two bills in question, which hopefully you have read and digested and for those of you who have not read and digested them, my assistant Mrs. Broaden and Mr. Wessley he is on our Council staff, has copies for those of you who wish to peruse them.

These bills are presently in committee as I mentioned. The Committee that I chair. There is an official City Council hearing scheduled for March 12, 1981 at 10:00 a.m. in City Council Chambers. I am not here tonight either pro or con on this issue. I am here to listen and to learn. As a political scientist, professor of government in politics and student of political reality, I am keenly aware of the necessity for effective, efficient good government. Your participation tonight will aid me in the process of arriving at a final decision that is in the best interest of all Pittsburghers.

Let me first answer the question concerning additional information. I think Councilman Flaherty is best

qualified to give you any detailed information relative to his motivations, his research, his input into proposing those two pieces of legislation and I think that should be done at another time. I think also, the issue that Councilman Flaherty feels are important relative to these two pieces of legislation have been aired on local media, radio and television, Councilman Flaherty himself has appeared on numerous shows with both black and white hosts, all of our local papers, the Courier, the Post Gazette and the Press have written comments or statements, various citizens have taken it upon themselves to comment on Councilman Flaherty's proposals and he has been very available to explain his rationale. I think that those of you who wish additional information from Councilman Flaherty himself should seek him out and get that information and digest it in such a fashion that you can understand what Councilman Flaherty would like to do, what Councilman Flaherty is proposing, without being confused by anyone being pro or con.

I think that this issue is too terribly important, particularly for people in the minority community of this City, be they Chinese, whether they be Eskimos or whether they be Africans, for us to simply engage in two hours of debate and discussion and all of us go away mad and those two bills still be in committee, still going to have a hearing on them March 12th and Council is still going to vote on them. The only people in this City who are authorized to vote, to change the manner in which City Council is elected are the nine members of City Council who are elected at large. That is just a fact, so we need not get that confused by what we want, what we think or our assessment of Councilman Flaherty's particular proposal. As far as additional meetings, I think that certainly this meeting, for myself, is the first initial

step that I have taken to get in a formal sense, some indication from the Black community at least, how this legislation would affect them. My obligation is to support legislation that is good for everyone in the City of Pittsburgh but to take into consideration special sets of circumstances. The legislation as it has been discussed over the last couple months, has been presented in such a fashion that one would be led to believe that there are either some benefits for the Black community or there are not benefits. I am simply, as a Black member of Council which is rather obvious, attempting to gather for myself, some information for my folks that will aid me in making decisions about all folks. Again, that is why I do not feel it is appropriate at this time to engage in any conversation with Councilman Flaherty relative to this issue lest we all be confused even more so than we are now. I certainly am an advocate of procedure, orderly procedure, of people making decisions after they are informed, making intelligent decisions and I think everyone's behavior here tonight is an indication of how serious you take this issue, when we give people the respect to make their presentations, respect them whether we are for them or against them and I think we go away a little wiser for the process and whatever demands we put on our City government, we put on that City government after having some better knowledge. Certainly there should be additional meetings, I have advocated from the very outset the establishment of some sort of citizens committee to thoroughly discuss this issue, all aspects of it, prior to City Council taking any final action. I still advocate that, I shared that with Councilman Flaherty, that is still my position. I think that is the wisest thing to do. That is about as far as I will go in terms of advocating anything. I advocate procedure, I advocate negotiation, I advocate intelligent

decisions on an issue that is as important as this. Even if some action were to be taken by Council this year, nothing would be done until 1983. It is not as if the City will be in peril in the meantime, it is not as if the issues that Councilman Flaherty has raised and others of you here tonight will not be addressed.

Hopefully at the public hearing on March 12th, those of you who are so inclined will come out, will participate and will have an opportunity to hear from Councilman Flaherty, see his charts, see his graphs and hear from him how this is going to affect everyone in this City. I simply think that if there are those people in this room who feel that the minority community needs additional input that that ought to be done in another context, I am certainly available at some other time to hold another meeting by which you can have all the discussion that you so wish. I simply do not want to promote confusion, nor do I want anyone to go away from here misunderstanding what my position is or to put myself in a position when it is time to vote that I don't know what you have said to me. Everything that has been said tonight is recorded, I have notes, my assistant has everyone's name, Mrs. Comans has been keeping time so that no one infringes upon anyone else's right, we have brought copies of Councilman Flaherty's legislation, Councilman Flaherty is here and certainly after this meeting is adjourned you can feel free to discuss anything you would like with him or anyone else here.

**END OF MR. ROBINSON'S SPEECH,  
FEBRUARY 25, 1981, (HILL HOUSE).**

**LETTER FROM MR. ROBINSON TO  
PITTSBURGH POST GAZETTE:**

March 17, 1981

John G. Craig, Jr., Editor

Pittsburgh Post Gazette  
Boulevard of Allies  
Pittsburgh, PA 15222

Dear Sir:

I am writing out of my deep concern for the proposed legislation before City Council that requests a referendum on the issue of whether Council should be elected on a combination basis of at-large and district.

As the Chairman of the Committee in which the two bills, Council Bill #2545 and Council Bill #2417, are being considered, I am in the process of requesting that the President of Council establish a "Blue Ribbon" Commission, under Council Rules XVI and XI, to investigate this matter thoroughly and professionally with the technical assistance of Council's Research Coordinator Albert D'Alessandro.

The transcript of the public hearing held Thursday, March 12, 1981 and the public meeting I chaired on February 25, 1981 have convinced me of the necessity to investigate the issue further, and recognize that numerous persons of good community standing are externally interested in the composition of Pittsburgh City Council and the impact of Council on the issues of representation and delivery of services.

Tom Flaherty's research has been a valuable tool in addressing these issues, and would provide Council with a solid foundation for further research.

Council must have its own research and information gathering.

The issues should be depoliticized, and presented in terms of what is best for the people of Pittsburgh.

Both former Council President Louis Mason, Jr. and Mary Hall, former Pittsburgh Government Study Commission member have requested a "Blue Ribbon" Commission.

I believe they have the right idea and Council should follow their lead.

I have maintained from the initial day the original bill was introduced that a "Blue Ribbon" Commission was the best way to investigate this issue -- today I am more strongly committed to that idea.

Yours truly,

Bill Robinson, Chairman  
Planning, Housing & Development

**END, MR. ROBINSON'S LETTER TO  
PITTSBURGH POST GAZETTE.**

**LETTER FROM MR. ROBINSON TO THE  
PITTSBURGH COURIER:**

March 6, 1981

Editor  
New Pittsburgh Courier  
315 East Carson Street  
Pittsburgh, PA 15219

Dear Madam/Sir:

I am writing this letter to more fully explain my position relative to the proposal to change the manner in which Pittsburgh City Council is elected.

My basic position is that there is not any overwhelming evidence that district election of Councilmembers will guarantee the delivery of better, faster city services - at a lower cost. Then why change the system?

There is no overwhelming evidence that district elections will lower taxes or

provide shelter and food for our elderly. Then why change the system?

Who can accurately and precisely calculate the costs of district elections? Then why change the system?

I favor the intelligent and constructive proposal of former City Council President Louis Mason, Jr., that a "Blue Ribbon" citizens panel be established to fully explore the issue of election of City Council Members - what's the rush, why change the system during an election year? Why change the system when Council's only "black" member is running for re-election in the May 19th Primary Election?

Do the sponsors and supporters endorse the removal of this City's one voice for black people on Council - why don't they support black candidates already in office? Why change the system now?

Are black people being duped into believing that two birds in the bush are better than one in hand?

Remember Jim Bulls - remember the interests of black people are best served by those who have a program that addresses the total needs of the city, not one geographic area. Black people live all over the City of Pittsburgh, not in certain districts.

Are whites being incited and instigated to believe that this is their City? Pittsburgh belongs to every Pittsburgher.

I caution restraint, reason and intelligence - what's the rush - who will benefit - what are the guarantees?

If blacks are looking for guaranteed representation I believe we will have to ask about the first guarantee offered -

forty acres and a mule. Where are they?

I believe that all Pittsburghers want good, efficient government - regardless of the selection process.

I encourage the President of Council to establish a "Blue Ribbon" Citizens Group to intelligently study this issue.

Your City Councilman,

William Russell Robinson  
Chairman  
Planning, Housing & Development

## **END, MR. ROBINSON'S LETTER TO PITTSBURGH COURIER.**

### **The Chair:**

Is there any further discussion on the motion?

And on the question, "Shall the bill be recommitted?"

The ayes and noes were taken agreeably to law, and were:

**AYES:**

Mr. Flaherty  
Michelle Madoff  
Mr. Robinson

**NOES:**

Mr. Givens  
Mrs. Masloff  
Mr. Stone  
Mr. De Pasquale  
(Pres't)

**AYES 3**

**NOES 5**

And a majority of the votes of

Council not being in the affirmative, the motion was defeated.

### **Mr. Flaherty:**

Mr. President, I move to amend Bill 2515 by taking out the entire third section, to delete that entire question which reads:

"Shall Section 302 of the Pittsburgh Home Rule Charter be amended to provide for a combination district and at large basis and read as follows:

Council shall consist of nine members, Council Members shall be elected on a combination district and at large basis by the qualified electors of the City at a municipal election. Two members of Council shall be elected at large and seven members shall be elected by districts. Seven districts which shall be compact and contiguous shall be comprised of equal proportions of the population as determined by the United States Census and each succeeding United States Census. Each of the districts shall be represented by one member who shall reside in that district. Council may, however by ordinance decide that all members shall be elected at large or by district or any combination thereof."

My primary reason for offering this amendment is to give the people of Pittsburgh, the people of the West End and the people of the South Hills and the people of the North Side which have been vastly under-represented, a clear choice to send us a clear message to us from the East End and to give them a fair chance on change, and the only way you can have a fair chance is one question for and one against. Not one question for and two against where you split the vote, so if this Council, if you really want to give the people a fair chance, then vote yes on my amendment. Will you second



that for me Michelle?

**Michelle Madoff:**

Absolutely, I second the motion.

**Mr. Stone:**

Discussion. Mr. President, I knew that if we left it go long enough we would find out what the original maker intended in the first place. I think Mr. Givens has hit it. The original maker of the motion intended only one choice for the City of Pittsburgh, he said he did a lot of investigation and that was the only one that they wanted in spite of the fact that from my hearing, I heard at this table when I sat, there were a multiple of what they wanted. Some argued for at large, some argued for all district and some argued, and particularly those that he had hustled to get here, voted in favor of his recommendation. Now we have a situation where in spite of all of the investigation he made, he now wants to make a change, and as I look at that, it is much like getting a hot tip on the daily double, you're going to play a new role and I don't think that this Council can afford that kind of gamble or that kind of inconsideration. If he had that kind of sincerity in his original motion, then why not put it to the voters? What I am attempting to do here is to give them all of the choices, not one choice that you like or I like, not one choice that either of us like or dislike, but all of the choices that face them and let them make that particular decision.

**Mr. Flaherty:**

Councilman Stone —

**Mr. Stone:**

Do I have the floor?

**Mr. Flaherty:**

Go ahead, you have the floor.

**Mr. Stone:**

I've listened to you and your diatribes for the last hour and I think it is about time you listen, it might help you a little bit.

In this connection, I was a member of the Home Rule Charter originally before I came on Council. I went back and I testified at the Home Rule Charter Commission, thereafter I have watched this situation and every so often, self-anointed people are going to tell us what the people want. We always have these self-anointed people who represent the people. I think once and for all and since this situation -- and by the way, when we voted on the Home Rule Charter, the people at that time, seven years ago, eight years ago, voted for at large. The thing has come up again and says, "Well, in spite of the fact that is what they voted for, that is not what they wanted". So, if that is the case, I think we should give them the opportunity to vote on all of the alternatives once and for all. We gave Mr. Flaherty exactly an alternative three, exactly what he wanted, and if he is somewhere lost in this road, I think we ought to help him along so that we leave all of the choices on the ballot for the people, if he doesn't know today what he talked about yesterday.

**Mr. Givens:**

Again, I read into Mr. Flaherty's request, a change for change's sake, again, we are going back through it again, there we started with a six-three, a seven-two and now you are pulling this particular seven-two out, what for? For a new ordinance that you just submitted today for a nine and zero. It is confusing to me what you are trying to do and what you mean and what you are trying to

advise the people of the City of Pittsburgh out there to do Mr. Flaherty, that's all.

**Mr. Flaherty:**

If I may respond to Councilman Givens, I'm just rolling with the punches, that is all I am doing, and that is the way the punches run. In regard to --

**Mr. Givens:**

You've got a lot more punches coming from the people out there, the public, they'll give you a punch the next time you run.

**Mr. Flaherty:**

Now wait, and in regard to Councilman Stone's diatribe, I would just like to say, Councilman Stone, you have me as a member in your club of self-anointed people and I just want to ask, since you questioned my intention, I'm going to question yours and regardless of what I would have thrown out, you would have come up with some little cute way to kill it.

**Michelle Madoff:**

Mr. President, my turn. If you go back through the records, if any investigative reporter would care to go back through the records in the two and a half years that I have served on Council there are multiple times when Mr. Stone and other members of Council have stated very clearly and it is a matter of public record, that it is we, the elected officials who should bite the bullet and make choices, one that comes to mind is the Spring Hill episode, when the two communities were at odds as to where the senior citizen high rise should be located, every single hearing where we have had division on opinions, the issue that took place on Northumberland

just before the election last year, for the high rise, we could go on and on and on, this Council said, and Mr. Stone particularly, who has been the strong voice on this Council and seems to have the ear of most of the members and the leader of this Council, said, "We will bite the bullet, we will make the change", and I think it is unfair to distort, when the punches were thrown, to say we disagree. Mr. Flaherty at that time, and I think I supported him and said it at the same time, "Allright then, if you don't want to go seven-two, let's vote at large", so I think it is unfair to say he didn't say, "I will bite the bullet and make that decision", the record will reflect it, it is in the record, it is a matter of record and as you do know today, if anybody was listening, he has already introduced a bill which will come up for discussion, to vote all by district and I would like to know what impact, from the legal department, that would have. Of course it is not going to go anywhere, it is moot because Council isn't going to vote for it, you do know it, it is an exercise in futility to have it on the record, but --

**Mr. Stone:**

Move the question.

**Michelle Madoff:**

Obviously it is a moot issue, but I think that we should not have distortions, the fact is that Councilman Flaherty did say, "Okay, I'm prepared to vote all by district", and I think it is unfair to say that he didn't say that.

**The Chair:**

Wait, are you saying that he wants to bite the bullet and vote at large or district and that is the end of it?

**Michelle Madoff:**

He said — yes, he did.

**The Chair:**

Let's do it then.

**Michelle Madoff:**

And he also said let's vote by district.

**Mr. Flaherty:**

Yes, but we are splitting the vote Mr. President, everybody knows we are splitting the vote, two questions, why don't we put a third one by district out, just for insurance.

**The Chair:**

Allright, the question is called for.

**Mr. Flaherty:**

Wait, I have a closing remark Mr. President, I just want to address these remarks to the people of the entire North Side, the entire West End and the entire South Hills, I hope you have fun splitting your vote and you will never see change. Hey, this is what an at large Council gets you, members of Council that are from the eastern end and I don't think they are looking out for the interest, representation of allowing you to elect one of your own from the West End, South Hills and North Side.

**Michelle Madoff:**

I also might add --

**The Chair:**

All those Councilmen from the East End did was give you the soundest financial city in the country and the most progressive and if that is so bad then maybe they want a change.

**Mr. Robinson:**

Mr. President, I would like to reserve my right to have my vote recorded on this amendment after I get a determination as to whether or not this Council will be establishing a blue ribbon commission to address this issue. I am reserving my right to have my vote registered at a later time on this amendment.

**Mr. Givens:**

A point of order Mr. President, you have to vote one or two or three ways here and if you don't vote, there is no right in this Council that I know of to withhold your vote.

**Michelle Madoff:**

Yes there is, according to the rules of Council you can say you are going to hold your vote as long as you say you are going to hold it.

**The Chair:**

He is in the right.

**Mr. Givens:**

Excuse me, Mr. President, again, I ask for the Parliamentarian to make a decision on this particular request by Councilman Robinson.

**Mr. Mulvihill:**

I have your Parliamentarian looking at the rules now, I am not familiar with any set of rules that says that.

**Michelle Madoff:**

Mr. Mulvihill, while he is looking, there was a crucial vote here before Council on a minority vote one time and Mr. Givens had sauntered out and when

he came back I asked whether we could have his vote on the bill --

**Mr. Givens:**

When Mr. Givens ever left this particular Council it was for a damn good reason --

**Michelle Madoff:**

Whatever --

**Mr. Givens:**

It was for a damn good reason.

**Michelle Madoff:**

It could have been a damn good reason --

**Mr. Givens:**

If you are trying to slight me in saying I am walking out on any vote on this Council, you're wrong then Michelle, you're damn wrong.

**Michelle Madoff:**

That is not what I said, I'm will slight you when I get to it.

**The Chair:**

Mr. Givens, I'm sorry, you're out of order.

**Mr. Givens:**

I'm not going to leave her talk about me like that Mr. President, there is no right --

**Michelle Madoff:**

I'm not finished. Mr. Parliamentarian, when he came back I asked if Mr. Givens could be asked to

vote on the issue and the rules --

**Mr. Givens:**

Yes because I was still present in this Council body.

**Michelle Madoff:**

And the rule was, he said no he could not, that if he wanted to reserve the right to vote, because I was new and I said what if I have to go to a phone for my daughter and it is an emergency, can I come back and vote --

**Mr. Givens:**

Then you so state it before you leave.

**Michelle Madoff:**

He said no, only if you state that you want to reserve the right to vote can you hold that vote. Now, unless the rules have changed --

**The Chair:**

Wait, as a matter of clarification, I'll appoint a blue ribbon committee to study this issue, now, will that allow you to vote one way or another?

**Michelle Madoff:**

He should be allowed to vote, I'm with Robinson.

**The Chair:**

No, Mr. Robinson said if I would appoint a blue ribbon committee he would then vote, whichever way. I said I will appoint that committee, so that --

**Mr. Flaherty:**

I believe that would have to be

introduced in the form of a bill. The powers of the President are to appoint the blue ribbon, but I believe it takes a majority vote of this Council to enact a blue ribbon committee.

**The Chair:**

Yes.

**Mr. Flaherty:**

Well the bill hasn't been introduced.

**The Chair:**

I will recommend it.

**Michelle Madoff:**

What are you going to do? Re-invent the wheel? We already have the Home Rule Charter, we've already had public hearings, people say they want it by district, people have spoken, the majority want it by district, do we listen to the majority or do we divide the pie three ways.

**The Chair:**

Will Mr. Robinson reconsider and vote "aye" or "nay" please?

**Mr. Robinson:**

Can I get a ruling from our Parliamentarian relative to my original action on this particular amendment?

**Parliamentarian:**

There is nothing that speaks directly to that question but Subsection 3 of Rule 8, "the vote shall be taken by ayes and nays and unless otherwise divided, shall require at least five affirmative votes for final passage". This indicates to me that the vote on

legislation is here and now, you can vote it up or down or abstain. I don't think you can reserve your vote for some later time.

**Mr. Robinson:**

Okay, if that is the case I think the record should reflect that so that in the future we don't have a misunderstanding. I am more than willing to go by the rules, but in the future, the vote will be taken here and no one has a right to reserve their vote, is that correct?

**Michelle Madoff:**

Everybody has a right to reserve the vote if you leave the room.

**Parliamentarian:**

The distinction is, "but reserving until the end of the vote", it is a series, that they go out and say, "I'm going to come back, hold my vote". It says here, you can't do that.

**The Chair:**

You can change your vote as long as we are in session.

**Mr. Robinson:**

My comment was I wanted to reserve my right to vote until after a determination was made as to whether or not we would have a blue ribbon commission. That I assume is within the purview of what is acceptable because the President decides to make a determination before the end of the session. I'm still here, as long as my vote is recorded before I leave this room I would assume I am well within the rules. That is all I was asking for.

**The Chair:**

Right.

**Parliamentarian:**

Do you intend to vote on this?

**Mr. Robinson:**

Yes. I have no problem with that.

**Mr. Givens:**

Before adjournment of this meeting.

**The Chair:**

That is within order.

Is there any further discussion on the motion to amend?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Flaherty  
Michelle Madoff

NOES:

Mr. Givens  
Mrs. Masloff  
Mr. O'Malley  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 2

NOES 5

And a majority of the votes of Council not being in the affirmative, the amendment was defeated.

**The Chair:**

Is there any further discussion on the bill itself, as amended?

**Mr. Flaherty:**

Yes Mr. President, it is obvious that this bill is going to pass and I believe that it is a classic example of any reform in the government is usually not met with the favor of those whose power will be subverted and this seems to be a classic example in my view. I just wish to say publicly that between now and November, even if this question ever is on the ballot, I'm going to do everything in my power to educate the public as to what has gone on here today and then the public can either accept my point of view or the majority of Council's point of view, but I don't believe the public is getting a fair shot on this bill and I promise the public that next year this bill is going to be back in front of Council and it is going to be back and back as long as I'm on this Council and until the public gets a fair shot at it.

**Mr. Givens:**

Mr. President, I would like to say that I have taken an oath when I came into this office to serve all of the people of the City of Pittsburgh, I take that very personally, that I serve all of the areas of the City of Pittsburgh including the North Side, the West End and the South Hills and my research of some 11 years worth of work and including this year's budget which is 12 years, I did not see any area of the City that was being neglected including the North Side, the West End and the South Hills as far as the distribution of money for public projects.

**The Chair:**

Is there any further discussion on the bill itself, as amended?

And on the question, "Shall the bill

pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6                      NOES 3  
(MR. FLAHERTY AND MICHELLE  
MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative the bill passed finally, as amended.

**Mr. Robinson:**

Mr. President, on Mr. Flaherty's amendment to Bill No. 2545 on which I withheld my vote, I vote yes.

Also,

Bill No. 2657

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and United States Steel Corporation for the sale of parcels A-1 and A-2 in the Second Ward of the City of Pittsburgh." (AS AMENDED IN COMMITTEE)

**Michelle Madoff:**

Mr. President, on Bill No. 2657, I want to commend Councilman Robinson for doing an outstanding job of I think finally and irrevocably placing the minority issue in a position where we can pinpoint responsibility and making something happen. Would you say that is pretty accurate that something looks

very hopeful Mr. Robinson?

**Mr. Robinson:**

I'm more encouraged today than I was yesterday.

**Michelle Madoff:**

I would like not to be pooh pooh-ed or ridiculed on a matter of a week or two. I have called the Port Authority people and many of the Councilmembers were there, Mr. Flaherty you were not there this morning, I don't know who else was not present, and they informed me that every day in voting for this bill is very important and I am happy that Mr. Robinson and the Mayor were able to work it out today because we could have a strike, we could have some kind of problem, nothing in the Pittsburgh area that would hold up equipment or materials and that every two weeks, every two weeks, every two weeks adds up and the question before us now in getting the subway in is that it is anticipated that there will be hardship or problems with the subway, some kind of impact on the major shopping center downtown for two Christmases. If we keep on schedule -- if it is humanly possible to keep the schedule that they have set then we will avoid having impact on the third Christmas and that is why I again commend you Mr. Robinson for moving in all haste to get this through to at least give that third Christmas a chance of having the work finished.

Also, I would point out that I have spoken with U. S. Steel. Mr. Stone rightfully was very adamant about having a hotel -- I believe Mr. Stone, it is going to be above the site of the main terminal, is that correct? And that is the lot, the property we are voting on today? They have obviously listened to Mr. Stone --

**The Chair:**

How come he gets a hotel and we don't even get a house?

**Michelle Madoff:**

Well, they have listened to Mr. Stone and they are going to go out for developers to build a hotel on that site, they couldn't do it until this matter was resolved and I think that is very encouraging for the jobs that will evolve from that.

**Mr. Flaherty:**

Excuse me, I have just heard that the President of the United States was shot. That is what they were just saying out in the hall.

**Mr. O'Malley:**

Yes I got a note here that the President was shot but he is okay.

**Michelle Madoff:**

Who shot him?

**Mr. O'Malley:**

I don't know Michelle.

**The Chair:**

Well, then let us conclude the meeting as fast as we can.

Which was read.

Also,

Bill No. 2785

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Bloomfield-Garfield Local Development

Corporation, to promote and implement the economic and physical redevelopment of the Penn Avenue retail/residential district in the Bloomfield-Garfield neighborhood; to follow through with implementing the activities recommended and approved by the City in the 1980 Bloomfield-Garfield market study; and to use the Bloomfield-Garfield Local Development Corporation as the coordinating agent for formulating and implementing the renewal plans recommended in the Bloomfield-Garfield market study." (AS AMENDED IN COMMITTEE)

Which was read.

**Michelle Madoff:**

Regarding Bill 2785, Mr. O'Malley's bill, for the people sitting here from Bloomfield -- can we find out whether by April 1 they can go out and hire? It is one thing to vote on it, one thing to get everything moving, but the other thing is, will they be able to go out and hire? They have already interviewed and they are under the gun. What can we do to help on that matter?

**Mr. O'Malley:**

We'll check into it.

**Michelle Madoff:**

We're going to work to see -- they have been waiting for years -- we'll be able to get them -- okay? Thank you.

Also,

Bill No. 2791

Resolution entitled, "Resolution amending Ordinance No. 19, approved January 24, 1967, entitled, 'An Ordinance accepting the dedication of Chatham Lane, 15 feet wide, between Chatham



Street and Bigelow Boulevard and the underpass below Webster Avenue, as shown and described in Pennsylvania Department of Highways Drawings for Construction of Route No. 1026, Section 2/B, pages 19 and 23, for pedestrian ramp, opening and naming the same; and also accepting the dedication of four (4) open areas adjacent to Crosstown Boulevard as shown and dedicated in Urban Redevelopment Authority Plan Drawings 256-P-7 and 256-P-8, and providing certain terms and conditions; all in the Second Ward of the City of Pittsburgh,' by deleting the acceptance of the dedication of an open area as set forth in Urban Redevelopment Authority Plan Drawing 256-P-7."

Which was read.

Also,

Bill No. 2792

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 25th and 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 46-G-142, 46-J-23, 46-G-232, 23-B-174, 46-G-220, 23-E-347, 23-F-252, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2793

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that

property in the 25th Ward of the City of Pittsburgh owned by Western Wrecking Company and designated as Block and Lot 23-E-348 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2794

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Deirdra Y. Bruce for the sale of parcel 205 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2795

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Laud, Inc., for the sale of Parcels 114B & 114C in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2796

Resolution entitled, "Resolution approving a form of Contract for

Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Rachelle M. Robinson and James A. Jackson for the sale of Parcel 217 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2797

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lucille S. Roy for the sale of parcel 77 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Robinson:**

Mr. President, regarding Bill No. 2657, I would just like the record to reflect that the Mayor of the City of Pittsburgh will be accountable for the actions of the Minority Business Enterprise Review Committee, Council will have a liaison who will be appointed by the President of Council to that Committee and Mr. Dave Matter, the Mayor's Executive Secretary, will be responsible for the operations of the Minority Business Enterprise Review Committee.

**Mr. Stone:**

Mr. President, I would like to make a comment on bill 2657, Michelle Madoff has indicated that I had some concerns

about a hotel, but my main concern was not so much of the hotel as it was the Bigelow Boulevard Extension. I have not changed in my belief that the change in that intersection is for the worse rather than the better. I hoped that U. S. Steel would have permitted that road to go under and they built across it. I am moving the bill, but I just want it understood that some day from now I told you so.

**Michelle Madoff:**

Mr. Stone, it was not my intention

--

**The Chair:**

I appreciate your comments but in light of the information we just received can we go on with the meeting? I mean unless it is of earth shaking importance.

**Michelle Madoff:**

We're not going to be able to help the President.

**Mr. Robinson:**

I just have one comment, on bill 2657, I would like to have a copy of the Mayor's Executive Order number one, included, along with the letter that he forwarded to us on the 30th of March included into the record please.

**MAYOR'S EXECUTIVE ORDER:**

**EXECUTIVE ORDER**

I hereby direct that action be taken to carry out the attached recommendations of the Minority Business Enterprise Committee, and where legislative action by the City is required that the appropriate legislation be submitted to City Council.

## END, MAYOR'S EXECUTIVE ORDER

MAYOR'S LETTER OF MARCH 3, 1980:

March 30, 1981

President and Members of Council  
510 City-County Building  
Pittsburgh, PA 15219

RE: Minority Participation  
Requirements - Developments

Dear President and Members:

I am writing this letter in connection with the discussion at the March 25 Council meeting regarding the implementation of the provisions of Ordinance No. 1 of 1981.

There were three specific concerns raised at the meeting: (1) the names of the two additional appointees to the MBE Review Committee from the private sector, (2) the accountability of the MBE Review Committee, and (3) the implementation mechanisms for the MBE Review Committee.

In response to these concerns, please be advised of the following:

(1) The two private sector appointees are: Dr. Herman Reid, Executive Director of the Negro Emergency Educational Drive and member of the Administrative Committee of the Pittsburgh Plan. Dr. Reid resides at 1554 Petunia Street, Pittsburgh, PA 15210. Jan Neffke, Director of Public Policy for the YWCA of Greater Pittsburgh, resides at 615 Bellefont Street, Pittsburgh, PA 15232.

(2) The MBE Review Committee is created by legislation submitted by the Mayor's Office as part of the City's MBE program; therefore, the MBE Review Committee is accountable to me and

responsible to my designee, who will monitor the Committee.

(3) Once the aforementioned appointees are confirmed by Council, a meeting of the MBE Review Committee will be promptly scheduled to determine the procedures of the Committee for the implementation of the Ordinance. These policies and procedures will be based upon the MBE plan criteria which were submitted with the Minority Business Enterprise Committee report and adopted pursuant to my Executive Order. A copy of these criteria is enclosed.

If you have any further questions or comments regarding the Minority Business Enterprise Review Committee lease do not hesitate to call me.

Thank you for your continued cooperation.

Very truly yours,

Richard S. Caliguiri

RSC:llb  
Enclosure

EXHIBIT #5

M.B.E. CRITERIA FOR DEVELOPMENT  
ASSISTED BY THE CITY OF  
PITTSBURGH AND/OR THE URBAN  
REDEVELOPMENT AUTHORITY OF  
PITTSBURGH

The following criteria will provide a review mechanism by which the City of Pittsburgh's M.B.E. Review Committee will evaluate the extent to which a developer has made a sincere effort to include minorities in publicly assisted development projects.

The developer shall submit an M.B.E. plan to the lead agency on the

project as a part of its development proposal. The M.B.E. plan should follow the format which is hereto attached.

The Committee will evaluate the M.B.E. plan based on the criteria listed here and any other M.B.E. development options the developer so desires to submit. We encourage the developers to be as specific as possible in identifying minority contractors, firms, companies or corporations which they intend to include in their development.

The Committee will either accept the plan or offer suggestions to developers on how to increase participation in plans which do not appear to meet the spirit and intent of including minorities in development proposals.

#### M.B.E. PLAN CRITERIA

1. Developers are encouraged to identify and utilize minorities in all construction activities to the greatest extent possible. The involvement of minorities should be comparable to the City's policy of fifteen percent (15%) minority participation and can be achieved through one or a combination of: A. Direct construction related employment. B. Prime and/or sub contracts in construction. C. Purchase of supplies used for construction.

2. Developers are encouraged to actively form or assist in the formation of partnerships and joint ventures between majority and minority contractors and minority business firms.

3. Developers are encouraged to utilize minority financial institutions for short term and long term development financing.

4. Developers are encouraged to assist minority contractors with working

capital financing and bonding on the development.

5. Developers are encouraged to assist in minority training efforts in labor intensive developments which utilize state or federal loans and/or grants applied for through the City.

6. Developers are encouraged to identify and help package the development of minority business when office space of commercial space is included in development projects.

7. Developers are encouraged to include minorities on their development team and in the administrative operation of their development project.

8. Developers are encouraged to utilize minority vendors, suppliers, concessionaires and service contractors (janitorial, etc.) as part of the support efforts of their development project.

#### END, MAYOR'S LETTER OF MARCH 30, 1981.

#### The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 2922

Report of the Committee on Parks and Recreation for March 25, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2783

Resolution entitled, "Resolution further amending Resolution No. 986, effective August 31, 1978, as amended by Resolution No. 1528, effective December 31, 1978, entitled, 'Resolution providing for a co tract or contracts or the use of existing contracts for the reconstruction of Cowley Swimming Pool and providing for the payment of the cost thereof' by decreasing the authorization to the actual amount expended."

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasqua
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 2923

Report of the Committee on Lands and Buildings for March 25, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2769

Resolution amending Resolution No. 91, approved 2/9/81, authorizing the sale of vacant lot on Quincy Avenue in Mt. Oliver Boro, designated as Block 33-L, Lot 14, to David A. & Victoria J. Porter, his wife, for the sum of \$350.00. Amendment is to transact the sale under Act No. 514 of 1947.

Which was read.

Also,

Bill No. 2770

Resolution amending Item E of Resolution No. 210, approved 3/6/81, authorizing the sale of a vacant lot on Milwaukee Street (5th Ward), Block and Lot 26-K-325, to Maggie Palmer for the sum of \$250.00. Amendment is to correct information regarding acquisition of property.

Which was read.

Also,

Bill No. 2771

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 2772

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

Michelle Madoff:

One more item, we may have our disagreements on different issues here in Council but I would hope that when we are outside that we put our differences aside. There is a crisis going on in this City or any problem that is going to hit the paper and maybe make us look bad, we as Councilmembers and legislators of this City, we ought to know about it before the media. For example today it was that the inspection on Washington Avenue, what do you call it? The State Inspection Bureau closed down our garage for three months. Does the Council know that? Did you know that Mr. President?

**The Chair:**

Is that really earth shattering Michelle?

**Michelle Madoff:**

No it is not earth shattering but I want every member, every department head to let Councilmembers know when there is an important issue, that's all.

**Mr. Stone** moved to approve the minutes of Monday, March 23, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Stone:**

Mr. President, I would like to move at this time that this Council adjourn with its prayers and best wishes for the good health and long life of the President.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**The Chair:**

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Would everyone stand please and  
say a silent prayer for the President.

**MOMENT OF PRAYER**

Thank you.

and Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, APRIL 6, 1981

No. 14

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE** ..... President  
**MICHAEL PERRY** ..... City Clerk  
**WILLIAM F. McCRAY**... Asst City Clerk

Pittsburgh, PA  
Monday, April 6, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

The first order of business today is a little different and if it turns out to be negative we may have a different type meeting than we are used to having. It is the election or re-election of our City Clerk and Assistant City

Clerk, Mr. Perry and Mr. McCray in that order. Do I hear a motion on the floor?

#### Mr. Stone:

Mr. President I move that Mike Perry be re-elected to the position of Clerk of City Council.

Mr. Robinson seconded the motion.

#### Michelle Madoff:

Discussion — Mr. Perry, do you think in your budget you could see fit to give those of us on Council, I think I can include Mr. O'Malley, Mr. Flaherty; cannot speak for the others, and myself I think Mr. Givens — some help in our offices so that our aides can be —

#### The Chair:

Completely out of order, this is completely out of order.

#### Michelle Madoff:

That's not out of order.

#### The Chair:

Completely out of order, do you have something else to say?

#### Michelle Madoff:

Do you have enough money in your budget to have staff to do that?

#### The Chair:

Roll call vote Mr. Clerk.

**Michelle Madoff:**

Are we going to get staff or do I have to take a lawsuit?

**Mr. Perry:**

That is Council's budget Michelle.

**Michelle Madoff:**

Do you have any of the people that are sitting around doing nothing in there, some of the days, that we can have assigned to our office?

Of course I'll vote "aye", he is super, unfortunately he doesn't have any say over his own department.

**The Chair:**

Is there any further discussion on the re-appointment?

And on the question, "Shall the re-appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the re-appointment was approved.

**The Chair:**

Mr. Perry is reelected as City Clerk of the City of Pittsburgh. Now for

Mr. McCray.

**Mr. Stone:**

Mr. President, I would like to move for the re-election of William McCray as Assistant City Clerk of the City of Pittsburgh.

**Mr. Robinson** seconded the motion.

**The Chair:**

Is there any discussion on the re-appointment?

And on the question, "Shall the re-appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the re-appointment was approved.

**The Chair:**

Mr. McCray is re-confirmed. I would like to be the first to congratulate both gentlemen and I would like very much if they would shake hands with all of the Council people and thank them personally.

**PRESENTATIONS**

**Mr. Flaherty presented**

No. 2924 Resolution providing for the issuance of a warrant in favor of Thomas DiDiano in the amount of \$6,623.60, Ralph Plumbing & Heating in the amount of \$5,126.80 and Solari Electric in the amount of \$810.00 totalling in the aggregate \$12,560.40 in payment for extra work in connection with the construction of the Sheraden Branch Library/Community Building.

Which was read and referred to the Committee on Finance.

Also,

No. 2925 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 2926 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings, requesting interim approval of payment of aggregate sum of \$5,744.00 to R. C. Firsching Associates for engineering services in connection with HVAC Systems at various locations, to be payable from LB 80-09, Renovations, Various Public Buildings, Department of Lands and Buildings.

Also,

No. 2927 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings, requesting interim approval of payment of \$2,752.45 to Damianos and Associates for architectural/engineering services at North Side Library/Theater.

Also,

No. 2928 Communication from Paul Evers, Deputy Director,

Department of Lands and Buildings, requesting permission for Elaine Sadowski to attend Pennsylvania Governor's Energy Council Institutional Conservation Program Seminar, Harrisburg, PA, April 15, 1981, at a cost not to exceed \$110.00, payable from Code Account 1361, Miscellaneous Services, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

#### Mr. Givens presented

No. 2929 Resolution granting unto Robert Morris College, 610 Fifth Avenue, Pittsburgh, PA 15219, its successors or assigns, the privilege and license to construct, maintain and use, at its own cost and expense a canopy to be erected over an entrance to its building at the corner of Fifth Avenue and Sixth Avenue to project over the thirty-foot (30') radius at that intersection, having a set-back of 18" from the new curb line.

Also,

No. 2930 Resolution further amending Resolution No. 811, approved 8-19-80, effective 8-25-80, as amended by Resolution No. 1376, approved 12-30-80, effective 12-31-80, entitled, "Providing for an Agreement/s with an Engineering Consultant for Professional Engineering Services in connection with Steuben Street sidewalk and retaining wall (PW 80-30), etc.", by authorizing a Supplemental Agreement for Engineering Services and by increasing the total allocation by \$18,500.00.

Also,

No. 2931 Resolution amending Resolution No. 1555, effective 12-31-78, entitled, "Providing for an Agreement/s

with a Consultant/s for Professional Engineering Services in connection with the inspection and design of McArcle Roadway (PW 78-12 and PW 76-39); and providing for the payment of the costs hereof; and providing for a Reimbursement Agreement/s with the Commonwealth of PA, Department of Transportation," by authorizing a Supplemental Agreement and by increasing the total project allocation by \$46,000.00.

Also,

No. 2932 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$239.55 for additional work in connection with construction or reconstruction of catch basins at various locations to be payable from PW 80-32, Miscellaneous Repairs, Streets and Structures.

Also,

No. 2933 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$3,520.00 to Mosites Construction Company for extra work in connection with rehabilitation of Larimer Avenue Bridge to be payable from PW 7910, Emergency Repairs, Bridges.

Also,

No. 2934 Communication from Louis Gaetano, Director, Department of Public Works, requesting reimbursement to A. Kubit and M. Walsh, for expenses incurred in attending Institute of Transportation Engineers Seminar, York, PA, October 30-31, 1980, in the amount of \$290.80 to be payable from Code Account No. 1643, Miscellaneous Services, Traffic Control Division, Department of Public Works.

Also,

No. 2935 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission to attend meeting with Secretary of Transportation concerning design of Bloomfield Bridge, Washington, DC, April 8, 1981, at a cost not to exceed \$175.00, payable from Code Account No. 1502, Miscellaneous Services, Department of Public Works.

Also,

No. 2936 Communication from Louis Gaetano, Director, Department of Public Works, submitting Trial Traffic Regulations on Allegheny River Boulevard and other streets listed herein for a trial period of sixty (60) days beginning April 15, 1981.

Also,

No. 2937 Communication from Louis Gaetano, Director, Department of Public Works, advising Council of the permit for placing telephone utility cabinet on City property located at Lappe Lane adjacent to St. Ambrose Church, 24th Ward.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

2938 Resolution providing for the letting of a contract/s for the furnishing and delivery of an underground packaged booster at a cost not to exceed \$30,000.00, chargeable to Capital Budget Account WD-81-07, Water Line Replacement, Various Locations (4-05-15-0001-81).

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

2939 Resolution amending Resolution No. 192, effective 3/6/81 entitled, "Authorizing the issuance of a warrant in favor of W. G. Tomko, & Son, Inc., in the amount of \$4,191.02, in payment for work performed at Schenley Park Skating Rink, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 2940 Resolution providing for an Agreement/s with the Pennsylvania Fish Commission for the development of a boating and fishing access to Monongahela River in the Southside Park Development Project; approving the Fishing and Boating Access Project; and providing for required assurances.

Also,

No. 2941 Resolution providing for an Agreement/s with the Western Pennsylvania Conservancy for the development of new community gardens on city-owned property and providing for the payment of the cost thereof not to exceed \$10,000.00 from 4-10-15-1749-81-PR 81-37)

Also,

No. 2942 Resolution providing for an Agreement/s with Duquesne Light Company and the Board of Public Education for a right-of-way across land leased by the City from the Board of Public Education. The purpose of the right-of-way shall be for installing, using, maintaining, renewing and finally removing an electric line, poles, etc., across land fronting on Ovid Street in the

28th Ward.

Also,

No. 2943 Resolution providing for an Agreement/s with the Neighborhood Centers Association at 1439 N. Franklin Street and the URA so as to rehabilitate a Neighborhood Centers Associates owned structure located at 2 Heines Way, 21st Ward, for use as a Boy's Club facility. Carnegie-Mellon students will be used as volunteer architects and construction workers at a cost not to exceed \$29,610.00 from Project Code 4-40-06-1300-80-919-80-10 (80 ULO).

Also,

No. 2944 Resolution providing for an Agreement/s for professional services in connection with the installation of lighting for the 1981 Spring Flower Show at Phipps Conservatory; and providing for the payment of the cost thereof, \$1,500.00 from PCTF.

Also,

No. 2945 Resolution amending Resolution No. 1414, effective 12/19/78, entitled, "Providing for an Agreement/s with architects, engineers, landscape architects, or surveyors for professional services in connection with the design of the Arlington Heights Ballfield in the Department of Parks and Recreation and providing for the payment of the cost thereof", by decreasing the authorization to the actual amount expended, at a cost not to exceed \$3,193.50.

Also,

No. 2946 Resolution further amending Resolution No. 249, effective 4/11/80, as amended by Resolution No. 920, effective 9/26/80, entitled, "Resolution providing for an Agreement/s with the Hilltop United

Methodist Church for the design and renovation of the church and providing for the payment of the cost thereof" by increasing the authorization, cost not to exceed \$104,000.00.

Also,

No. 2947 Resolution further amending Resolution No. 59, effective 2/10/76, as amended by Resolution No. 50, effective 1/27/77, entitled, "Providing for the use of certain property for senior citizens centers" by decreasing the authorization to the actual amount expended (\$53,370 - \$14,500 from 75 CDPR, \$38,870 from 76 CDPR).

Also,

No. 2948 Resolution amending Ordinance No. 546, effective September 25, 1975, entitled, "Providing for a lease or leases for use of certain property for senior citizen centers" by decreasing the authorization to the actual amount expended \$6,351.00, payable from Community Development Block Grant, Senior Citizens Centers.

Also,

No. 2949 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$6,296.00 for extra work in connection with Brookline Park and Pool Construction, Controller's Contract No. 24791.

Also,

No. 2950 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$35,000.00 for structural work in connection with Symphony Summer Stage.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 2951 Resolution providing for an Agreement/s with Trumbull Corporation for reimbursement in connection with the reconstruction of the Parkway East.

Also,

No. 2952 Communication from Robert J. Coll, Jr., Superintendent, Department of Police, requesting permission for one Police Lieutenant to attend National Police Firearms Administrators Workshop, Camp Perry, Ohio, July 12-15, 1981, at a cost not to exceed \$395.00, payable from Code Account No. 1454, Education and Traveling Expenses, Department of Police.

Which were read and referred to the Committee on Public Safety.

#### **Mr. Robinson presented**

2953 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 7 by changing from "C4" to "AP" the Civic Arena and surrounding vacant land from "R5-H" to "C4" property located on the southwest corner of Crawford and Colwell Streets, 3rd Ward.

Also,

No. 2954 Resolution approving Lower Hill Proposal dated February, 1981, for redevelopment activities in the Second and Third Wards approving Modification No. 5 to the Lower Hill Redevelopment Area Plan; and making

certain findings related thereto.

Also,

No. 2955 Resolution authorizing a Fourth Amendatory Cooperation Agreement for the Lower Hill Project in the 2nd and 3rd Wards providing for changes in paragraph numbers and exhibit designations and providing for redevelopers and the Port Authority as entities in the construction and dedication of streets.

Also,

No. 2956 Resolution approving Redevelopment contract, Ground Lease & Option for Lease by and between URA and DeBartolo Century Corporation for Parcel 2 — Redevelopment Area No. 3.

Also,

No. 2957 Resolution approving First Amendments to Redevelopment Contract and Lease by and between URA and Public Auditorium Authority of Pittsburgh and Allegheny; County and the Sublease Agreement by and between the Public Auditorium Authority of Pittsburgh and Allegheny County and Civic Arena Corporation and authorizing extension of life of Public Auditorium Authority — Redevelopment Area No. 3.

Also,

No. 2958 Resolution approving the sale of Parcel 3 (Penn Avenue) in the Seventh Ward of the City of Pittsburgh by and between the URA and Cole, Montgomery & Rust, Inc., for \$309,000.00 plus expenses — Residential Land Reserve Fund.

Also,

No. 2959 Resolution approving the sale of Block 9M, Lot 97 in the Third

Ward of the City of Pittsburgh by and between the URA and Everett J. M. and Dorothy L. Davis for \$300.00 Residential Land Reserve Fund, (1 Cliff Street).

Also,

No. 2960 Resolution approving sale of Parcels 47 and 138 (7207-73 Hermitage Street) in the 13th Ward of the City of Pittsburgh by and between URA and George M. Angell, Jr. and Denise D. Angell for \$300.00 Redevelopment Area No. 19.

Also,

No. 2961 Resolution approving the sale of Parcel 164 (1427-1421 Sedgwick Street) in the 21st Ward of the City of Pittsburgh by and between URA and Robert G. McFadden for \$.20 per square foot — Redevelopment Area No. 27.

Also,

No. 2962 Resolution approving the sale of Parcel B-30b (Broad Street Larimer Place) in the 11th Ward of the City of Pittsburgh by and between URA and Medonto, for \$1.25 per square foot — Redevelopment Area No. 10.

Also,

No. 2963 Resolution, filing of a Urban Development Action grant Application by the City of Pittsburgh with HUD in connection with Liberty Center.

Also,

No. 2964 Resolution amending Resolution No. 526, effective May 24, 1978, authorizing the Mayor and the Coordinator for the CDBG Program to enter into an Agreement/s with the Urban League of Pittsburgh, Inc., for

city-wide housing counseling and housing information services to the City, so as to decrease the amount authorized from \$160,000.00 to \$151,895.02, Project number 4-35-10-0002-78-7-78-35.

Also,

No. 2965 Resolution amending Resolution No. 494, effective May 17, 1978, providing for an Agreement/s with the Western Pennsylvania Conservancy for the Neighborhood Lot Beautification Project, so as to decrease the amount authorized from \$40,000.00 to \$27,777.20.

Also,

No. 2966 Resolution providing for an Agreement/s with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in designated Community Development Neighborhoods for an amount not to exceed \$20,327.78.

Also,

No. 2967 Resolution further amending Exhibit 1 of Resolution No. 29, effective January 1, 1980, entitled, 'Resolution adopting the 1980 Capital Budget, allocating and setting aside funds in connection therewith'; by redefining the description of Project DCD-80-03.

Also,

No. 2968 Resolution amending Resolution No. 626 approved July 10, 1980, entitled, "Amending Resolution 463, approved May 29, 1980, entitled, 'A Resolution providing for a Cooperative Agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the implementation of Community

Development Block Grant Programs in the 1980 Capital Budget and providing for the cost thereof', by increasing the amount of the Agreement" by eliminating one line item to create another.

Also,

No. 2969 Communication from Edward deLuca, Director, Department of City Development, requesting amendment of Council Bill 2800, authorizing Director deLuca to attend meeting with EDA personnel concerning Herr's Island Project, Philadelphia, PA, March 17, by increasing the authorized amount from \$200.00 to \$210.25, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Development.

Also,

No. 2970 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Elizabeth Greenough to attend "The City as a Development Entrepreneur" Workshop, Cambridge, Mass, April 15-16, 1981, at a cost not to exceed \$500.00, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Development.

Also,

No. 2971 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Laura Nagel and Mark Bunnell to attend APA National Planning Conference, Boston, Mass, April 25-29, 1981, at a cost not to exceed \$1,600.00, payable from Community Development Block Grant, Administration, CDPA, Department of City Planning.

Also,



No. 2972 Communication from Stephen A. George, Executive Director, Urban Redevelopment Authority, transmitting a copy of proposed sublease between Public Auditorium Authority of Pittsburgh and Allegheny County and Civic Arena.

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone presented**

No. 2973 Resolution providing for deposit to proper Department of Law Code Accounts of funds received pursuant to cable television Franchise Agreement, as reimbursement for costs expended in connection with cable television litigation.

Also,

No. 2974 Communication from Mead J. Mulvihill, Jr., City Solicitor, submitting summarized settlements of claims not exceeding \$750.00 for the First Quarter of 1981, payable from Code Account No. 1081, Petty Claims, also summarized settlements of claims in excess of \$750.00 for the First Quarter of 1981, payable from Code Account No. 46, Judgments.

Also,

No. 2975 Communication from Raymond E. Johnson, Deputy City Controller, requesting permission for Lois Brown to attend training seminar at Hewlett Packard Training Site in Detroit, Michigan, May 4-6, 1981 at no expense to the City.

Which were severally read and referred to the Committee on Finance.

**REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 2976

Report of the Committee on Finance for April 1, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2753

Resolution entitled, "Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring State assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 2754

Resolution entitled, "Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring Federal assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Mr. President, on Bill No. 2753 and 2754 I voted no on Wednesday, I am going to vote no again because it is too much or too little. We really need somebody sitting on top of the coop right now to get every buck we can get, the faucet has been tightened in Washington, the County is getting far more dollars back than we are and simply because -- and they have stated, I have heard Cyril say this, I have read it in the media, he has been quoted, and Foerster, because they have somebody there all the time and they are getting a greater return on the investment put out than we are and I don't see how we can, in good conscience, just vote for these people, no matter how qualified they are. We need full-time lobbyists.

**The Chair:**

You can take that two ways, you are saying we are getting too much and not paying enough?

**Michelle Madoff:**

I say we are paying too much and getting too little.

**The Chair:**

Well, the way you put it I wasn't sure.

**Michelle Madoff:**

I said too much for too little.

**Mr. Flaherty:**

On Bills 2753 and 2754, I am voting no. For the most part I agree with the comments of Councilwoman Madoff.

**Mr. Givens:**

On these two bills I would like attached for the records, those quarterly

reports that have been received by the Chief Clerk.

**Mr. O'Malley:**

I would just like to comment on Bill No. 2753 and 2754, that in principle I agree with Michelle but I don't think it would be of any benefit to the City to cut off our lobbying efforts in the middle. I think what Michelle should do during the next year is look for a good replacement, pay them adequately and then go for more money next year.

**Michelle Madoff:**

We always manage to have line items somehow that we can transfer money. It is important and we may live to regret that we didn't.

**Mr. O'Malley:**

But you have to find a replacement.

**Michelle Madoff:**

Well I agree with you, but -- we can find one.

**Mr. Robinson:**

On these two bills I am voting no and I would like to have my comments from last Wednesday's meeting brought forward.

**MR. ROBINSON'S COMMENTS ON BILL NOS. 2753 AND 2754 FROM THE MEETING OF WEDNESDAY, APRIL 1, 1981:**

**Mr. Robinson:**

Without raising any personalities, since no one wants to talk about names or personalities, if I'm not mistaken, in our budget over the last three years that

I have been operating as a member of Council, we have made available to the Administration a number of dollars for a person to work on the Mayor's staff. I think if we look at those designations that the Mayor sent to us himself, there are people designated to do this job and do it on a full-time basis. We're constantly increasing salaries. We are justifying it by saying people are doing an outstanding job, they have increased responsibility. We send our department heads all over the countryside to see all the politicians and public officials and anyone else they can get their hands on to get money for the City. I just have a lot of trouble now adding another \$45,000 to the Mayor's budget to hire two more people part-time. We have a gentleman who is always going to Harrisburg who has a specific responsibility on the Mayor's staff to do the very thing Mr. Parker and Mr. Geisey are doing.

Mr. Chairman, there was a gentleman on the Mayor's staff when I first came on Council who had the responsibility in Harrisburg. That gentleman left the employ of the City and went elsewhere. When he was replaced, and I don't say that technically, his salary or his responsibilities were cut. The new person came in, and the responsibilities were cut. That individual no longer had the responsibility of dealing with government agencies and government officials. I'm saying that it seems to me that that void should have been filled. This Council has always been willing to give the Mayor whatever staff he has needed to do the job, and if he needs staff to do the job, I think we ought to do that. I just have problems with these consultants that get these fees. They always find a way to spend all the fees, and they've got four or five jobs elsewhere. The gentleman in Washington, D.C. has a full-time job.

**END - MR. ROBINSON'S COMMENTS,  
4/6/81.**

#### **The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### **Ayes:**

Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

**AYES 5**

**NOES 3**

**(MR. FLAHERTY, MICHELLE MADOFF  
AND MR. ROBINSON VOTING NO)**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also.

Bill No. 2832

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Patrizio Art Mosaic Company in the amounts of \$286.20 and \$93.56 totalling in the aggregate \$379.76 in payment for test renovation of the Loggia of the City-County building and providing for the payment thereof."

Which was read.

Also,

Bill No. 2833

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Elevator Company, Incorporated in the amount of \$377.51 in payment for work performed for the

benefit of the City in connection with repairs needed on elevator car #2 in the Public Safety Building and providing for the payment thereof."

Which was read.

Also,

Bill No. 2834

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Bovie Electric Supplies Company in the amounts of \$194.95, \$155.96, and \$144.19 totalling in the aggregate \$495.10 in payment for electric material purchased in connection with the Modernization of Elevator 'H', City-County Building and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 2834, which is elevator "H"? Is it in the front here? Or the back? That is the one that they arranged to go straight up to the Law Department -- is that what that is? Because I keep asking if we have a contract to have our elevators repaired, this first elevator on the right here hasn't had a light working for the fifth floor for two years.

**The Chair:**

I don't know how they number them or which is "H" or which is "A" or "B".

**Michelle Madoff:**

And the elevators keep getting stuck between floors. I guess "H" is the one going up to the Law Department, I just wanted to know what it was.

Also,

Bill No. 2835

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Lee Goldman Associates in the amount of \$4,220.00 for architectural/engineering services; and Harry Dunn Company in the amount of \$27,695.00 for repairs and alterations totalling in the aggregate \$31,915.00 in connection with emergency repairs at No. 55 Engine Company and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

**AYES 8 NOES none**

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2836

Resolution entitled, "Resolution transferring the sum of \$20,000.00 from Code Account Number 1808, Equipment, Department of Parks and Recreation to Code Account Number 1154-1, Rental of Motorized Equipment, Department of

Supplies."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2846

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of \$1,386, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2857

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title I - Administrative, Article XI - Personnel, Chapter 191, Retirement and Severance Pay, by adding Section 191.08 POLICE PENSION FUND."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 2858

Resolution entitled, "Resolution providing for the issuance of warrants to Norma J. Beam and John Charles Thompson, Esquire, in the aggregate amount of \$1,000.00 in full settlement of a minor's claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 2859

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company in the amount of \$650.00 and \$3,265.70; totalling in the aggregate \$3,915.70 for emergency repairs to the EDPAC Air-Conditioning Unit; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2860

Resolution entitled, "Resolution providing for an Agreement or Agreements with Ruth Law for stenographic reporting services in connection with public hearing(s) and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 2977

Report of the Committee on Public

Works for April 1, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2778

Resolution entitled, "Resolution providing for a Contract or Contracts for the reconstruction of the Forbes Avenue Bridge over the Baltimore & Ohio Railroad, private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2838

Resolution entitled, "Resolution granting unto Mellon Bank - Bloomfield Branch, 4701 Liberty Avenue, Pittsburgh, Pennsylvania 15224, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense a canopy, with security lights and a sign marquee, to be erected over an entrance to its building, the Mellon Bank - Bloomfield Branch, 4701-4702-4703 Liberty Avenue, Pittsburgh, Pennsylvania, to project over the sidewalk area, a distance 4'0" width of canopy to be 7'8" long with a minimum height 10'0" over existing sidewalk."

Which was read.

Also,

Bill No. 2839

Resolution entitled, "Resolution vacating the City of Pittsburgh portion of 'Q' Way between Interboro Avenue and Plaport Street and 'R' Way between 'Q' Way and

the southwesterly property line of Lot 133 K 173, as extended, in the 31st Ward of the City of Pittsburgh excepting and reserving the 8 inch sewer line in both 'Q' Way and 'R' Way."

Which was read.

Also,

Bill No. 2840

Resolution entitled, "Resolution amending Resolution No. 204, approved February 26, 1981, effective March 6, 1981, entitled, 'Providing for a contract or contracts, or use of existing contracts, for Miscellaneous Electrical Services; and providing for the payment of the cost thereof', by increasing the total project allocation to Twenty Six Thousand Five Hundred (\$26,500.00) Dollars."

Which was read.

Also,

Bill No. 2841

Resolution entitled, "Resolution amending Resolution No. 315, approved April 18, 1980, effective April 25, 1980, entitled, 'Providing for a contract or contracts for the installation and removal of Flashing School Signs (PW 79-24); and providing for the payment of the cost thereof' by amending the title to authorize the use of existing contracts."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 2978

Report of the Committee on Planning, Housing and Development for April 1, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2653

Resolution entitled, "Resolution approving the revised proposal dated February, 1981, for redevelopment activities in Redevelopment Area No. 39 -- North Shore, located in portions of the Twenty-Second and Twenty-Third Wards of the City of Pittsburgh; approving Modification No. 2 to the Redevelopment Area Plan/Urban Renewal Plan; and making certain findings related thereto."

Which was read.

Also,

Bill No. 2654

Resolution entitled, "Resolution authorizing an Amendatory Cooperation Agreement for the North Shore Redevelopment Project and providing for street improvement, vacation of streets, zoning changes, public improvements, conveyance of City interest in taxing body property, and for certain changes in the financing of the project."

Which was read.

Also,

Bill No. 2655

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the cumulative amount of \$4,722,000 to the Pennsylvania Department of Community Affairs for the North Shore Project."

Which was read.

**Mr. Robinson:**

Mr. President, on Bill Numbers 2653, 2654 and 2655 I would like to have my comments from last Wednesday's meeting brought forward please.

**MR. ROBINSON'S COMMENTS ON BILL NOS. 2653, 2654, AND 2655 FROM THE MEETING OF WEDNESDAY, APRIL 1, 1981:**

**Mr. Robinson:**

Mr. Chairman, if I might. As you know, there was some discussion at the hearing that was held on March 24, questions and concerns I raised and some others raised. Mr. George did forward to Council a memorandum addressing some of those questions, and I think that should be made a part of the public record when we take final vote.



Also, Mr. George has assured me that he will be working with the developer and the URA board to make sure that Council has access to the final plans. There was some misunderstanding as to my comments relative to whether or not the developer and the URA board would give Council access to the final plans and Mr. George assured me that there would be no problem in that regard.

Also, Mr. George will provide for us by Monday the names of the organizations and individuals in the North Side Development Council, which is the organization that they are working through to make sure they have some participation of the people in the affected area.

I don't have any additional comments on it and I would move for approval.

**END - MR. ROBINSON'S COMMENTS  
ON BILL NOS. 2653, 2654 AND 2655,  
4/1/81.**

Also,

Bill No. 2848

Resolution entitled, "Resolution amending Resolution No. 1282, effective December 11, 1980, authorizing the transfer of Three Hundred Eight Thousand and Sixty-Four Dollars (\$308,064.00) from the 1980 Community Development Block Grant Program Trust Fund, Unspecified Local Options (CC-80-01) to the 1981 General Fund of the City of Pittsburgh, for Reimbursement of Indirect Costs, Community Development so as to correct the project number."

Which was read.

Also,

Bill No. 2849

Resolution entitled, "Resolution amending Resolution No. 1020, effective August 31, 1978, as amended by Resolution No. 413, effective May 16, 1980, entitled, 'Providing for Supplemental Agreement or Agreement with the Pittsburgh Neighborhood Alliance', so as to further extend the time of the Original Agreement (#23530 F dated October 18, 1978) from October 19, 1979 to December 31, 1981, and to utilize the remaining monies (\$2,916.99) from the Original Agreement for printing and distribution of a Neighborhood Resource Handbook."

Which was read.

Also,

Bill No. 2850

Resolution entitled, "Resolution amending Resolution No. 977, effective November 7, 1979, entitled, 'Providing for an Agreement or Agreements with the United Black Front for the renovation of the interior and exterior of the existing facility located at 216 Wylie Avenue, 5th Ward, City of Pittsburgh' so as to increase the amount allocated from \$75,000.00 to \$104,212.64, and include the Urban Redevelopment Authority as the administrative agent to the agreement."

Which was read.

Also,

Bill No. 2851

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for the operation of the Reduced Fare Bus Loop Project for the period from May 1, 1981 through

April 30, 1982, in an amount not to exceed \$310,000.00."

Which was read.

Also,

Bill No. 2852

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and C. Robert Frey and Gloria A. Frey for the sale of Parcel 295 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2853

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Donald L. Smith and Thelma J. Smith for the sale of Parcel 98 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. O'Malley

Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 2979

Report of the Committee on Parks and Recreation for April 1, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2888

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Athletic Association for the performance of professional services, and transferring the sum of \$5,000.00 from Code Account 10, Accounts Payable, Prior Years to Code Account No. 1838, Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

### **Mr. Flaherty presented**

Bill No. 2980

Report of the Committee on Lands and Buildings for April 1, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also,                      with                      an                      affirmative recommendation,

Bill No. 2837

Resolution entitled, "Resolution providing for a license to Equitable Gas Company for the installation of an eight-inch pipeline together with the necessary appurtenances on City property beginning at a point in the northeastern boundary of Washington Boulevard near its intersection with Allegheny River Boulevard, 12th Ward, to provide service to the City's Asphalt Plant."

Which was read.

Also,

Bill No. 2844

Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of Lands and Buildings to take the necessary steps to implement an energy audit of the

City-County Building."

Which was read.

### **The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## **MOTIONS AND RESOLUTIONS**

### **The Chair:**

I would like to announce that I have appointed a Blue Ribbon Committee to study the referendum proposal of the Council's future or non-future make-up.

Mary Hall has been appointed the Chairperson, I am asking Mr. Richard Givens, Mr. Tom Flaherty, Senator Romanelli and Mr. Hubert Smith to serve on that Committee.

### **Michelle Madoff:**

How many non-political people are there on there?

### **The Chair:**

How many non-political people? I would have no idea and no interest.

**Mr. Flaherty:**

I have some points of clarification. Have you asked the people if they care to serve on the Committee?

**The Chair:**

With the exception of Mary Hall I would presume that those I have asked will serve.

**Mr. Flaherty:**

I have not been asked to serve Mr. President.

**The Chair:**

I didn't say I asked you, I said I presumed that those I would appoint would serve.

**Michelle Madoff:**

Incorrect assumption.

**Mr. Flaherty:**

I have a few questions. Could you define what the Committees standards or the powers are going to be and also the length of the Committee's tenure?

**The Chair:**

I couldn't begin to tell you the life or the tenure of the Committee but I will say this Mr. Flaherty, but I will say this Mr. Flaherty, I would expect that Committee to hold periodical meetings, I would expect them somehow to get into the communities or to get reports back as to what they prefer. I won't go into the hearing that we had, as you continually say it was four to one, obviously most of those were from the

Pittsburgh Neighborhood Alliance and we know their feelings, it has been that way for years, but I am talking about the entire City and the entire neighborhoods, finding out what they want, what they would like to have.

**Mr. Flaherty:**

Well, I am somewhat confused as to what is the purpose of this Committee since this Council has already passed three questions to put on the ballot. If the purpose is going to be for this Council to give some input to the public, I believe the public has plenty of input as far as how this Council stands on the issue.

**The Chair:**

Well, I would think that a report from that Committee would have a great bearing as to how the public is going to vote. I think if that Committee says that they feel the general consensus is that we should change the way the Council people are elected, or that we shouldn't, I think it would have a great bearing on how they vote in this coming election. I think it is a pretty impartial panel, you obviously are for districts, Mary Hall is on the fence, I don't know where Hubert Smith stands or where Senator Romanelli stands and obviously Dick Givens says --

**Mr. Flaherty:**

He is opposed to it as you recall, he strongly opposed changing at the public hearing. Senator Romanelli did submit a statement which said that he was opposed --

**The Chair:**

Tom, don't you think that is really immaterial? I mean, if this is an honest Committee, I think they will bring back

an honest report. If they can't bring back an honest report then —

**Mr. Flaherty:**

Well, I believe that perhaps it will bring back an honest report that will reflect on how they stand now. I believe -- I don't know about Humbert Smith, how he stands but I believe that three of the members are opposed to change at this time and I would just wish to say that a true Blue Ribbon Commission would be non-partisan. Every one of the people on this Committee is involved in one way or another with the inner workings of the Democratic Party or organization and I believe that it should be non-political and it should have expertise. I don't know if all of the members have a fine expertise that would be required. I would strongly suggest to you Mr. President that you call talent from our Universities which will have an essential objectivity, which is extremely important, have a knowledge of electoral reform, have a historical perspective and have a professional expertise in urban affairs and public administration. But most importantly I believe that we should have people on this Committee, all of the people on this Committee should be people who do not have a consuming self interest in this issue and in the spirit of Section 308 of the Home Rule Charter, that section calls for prohibitions and Section B says, a prohibition have a personal or private interest in any bill proposed or pending before Council. So, in the spirit of the law I would suggest Mr. President that you at least attempt to contact the universities, I am sure that we could find quite a few substantial people —

**Mr. O'Malley:**

Biased.

**Mr. Flaherty:**

...to serve on this issue and in that spirit, since I do have an issue and since I do not feel in my heart that this is a true Blue Ribbon Study Commission, I refuse to serve on this Commission. I believe first of all that the people should come first on this issue and it should not be a committee appointed of blatantly political people. I have respect for everyone on that Committee in their duties and responsibilities of the positions they hold but I feel that we could have a more qualified committee than the one proposed, and one which will certainly give us the essential of objectivity.

**The Chair:**

Well I thought it was very qualified, if you refuse to serve and you want to give me the name of a person at the University of Pittsburgh or some other university to serve in your place, I'll be glad to appoint him.

**Mr. Flaherty:**

Well, as I said earlier Mr. President, --

**The Chair:**

I'm not going to have it composed of people only from the University of Pittsburgh.

**Mr. Flaherty:**

Yes, well, we can take them from Duquesne or Carlow or from CMU, any of our fine universities here.

**The Chair:**

The Committee stands Mr. Flaherty, if you do not want to serve, if you want to give me an alternate name, I

will be glad to contact that person.

**Mr. Flaherty:**

Well, Mr. President, I believe that there are three people opposed now and I wish to publicly predict a result and it will be to keep the at-large structure, and with the current make-up, my committing an alternative will not change that, so the Committee is your idea along with some other of my colleagues and so you pursue your idea, I pursued mine and I do not have confidence in the committee.

**Mr. Givens:**

Mr. President, I have in this Council, sat on many committees that you have appointed and other Presidents of Council have appointed and never before has the President of Council ever been challenged as I think Mr. Flaherty has so challenged the Presidency —

**Michelle Madoff:**

There is a new day dawning.

**Mr. Givens:**

In many positions that I have held and the committees I have sat on, one I can think of is the Community Advisory Boards wherein there were two Council people so selected to sit on that particular Committee and where I think that was in accordance with the Home Rule Charter as has been depicted by Mr. Flaherty and at the same time, I think we worked on that one for some six to nine months; and with public meetings within this building, to aerate it, within Council and everything else and I think that finally came out as an ordinance within the City of Pittsburgh that was acceptable to all concerned and it took a lot of hard diligent work on the part of that particular Committee.

I can also think that Mr. Flaherty brought in the party issues, the Democratic Party, this Councilman did not even receive the endorsement of the Democratic Party when I ran for this particular office and I can recall that Mr. Flaherty did receive that endorsement. So if he is pointing fingers at certain people I wish he would point them at himself and not at me.

**Mr. Flaherty:**

I wish to respond to that very briefly. I am not pointing fingers at anyone in the Democratic Party, I am a product of the Democratic Party and for a point of public information, when we had hearings on the Home Rule Study Commission, there were some extremely and there still are, very prominent members of the Party, public officials, which testified in behalf of a combinatino plan, so, you bring up an excellent point Councilman Givens, it has been depicted by the media that the Democratic Party is opposed to this and I am not aware of the Democratic Party being opposed to this, I am just aware of the few members on Council being vehemently opposed — quite a few of the Committee people and the Ward Chairmen that I talked to are in favor of reform.

**Mr. Givens:**

Well, I have done that same survey that you have done and I think the beauty of the Democratic Party, if we are speaking about party systems is that we have such diversified interests and people who come from all walks of life and that is the beauty of our Party and the fact that we are elected officials and otherwise, I am going to use this resource that he alluded to — to get the various professors at the universities and throughout this country that I can call upon to give good testimony and I would

think Mr. President, that with our Chairperson Mary Hall, that we will go around and seek the advice of everyone within our community, be it political or non-political, neighborhood organizations, civic organizations, and neighborhood groups.

**Michelle Madoff:**

Mr. President, three points I would like to make, but first of all I would like to point out that I am a Democrat and a registered Democrat -- I have always been a registered Democrat and the Democratic Party could use some help, maybe we wouldn't have Reagan in office.

Now, three points. Mr. Stone, I wonder if you could help me since it was your bill. In the present election do I understand correctly or incorrectly that whatever decision -- is it a majority vote -- of the three bills, if the public were to vote at large --

**The Chair:**

Michelle, we are on this Committee and now you are over on the election.

**Michelle Madoff:**

This is important, this is on the Committee.

**The Chair:**

You are out of order Michelle Madoff.

**Michelle Madoff:**

Mr. President, I am not out of order, I want to know if it is going to change anything.

**The Chair:**

After this discussion allright, not now, okay?

**Michelle Madoff:**

No, because I have to know now before I vote on it.

**The Chair:**

I am ruling you out of order.

**Michelle Madoff:**

You can't rule me out of order because I am not out of order.

**The Chair:**

But you are out of order.

**Michelle Madoff:**

I am not out of order. Mr. President, I don't vote unless I know what I am voting on.

**The Chair:**

You are not voting on this. It is my prerogative to pick this Committee and my prerogative alone.

**Michelle Madoff:**

There is no reason to have a Blue Ribbon Commission --

**The Chair:**

Mr. Flaherty decided to open the floor for discussion, now you are talking about the referendum.

**Michelle Madoff:**

We're having discussion on the Blue Ribbon Commission.

**The Chair:**

Get back to the referendum when we are finished with this, okay? Any further discussion on the Committee?

**Michelle Madoff:**

I am still talking about the Blue Ribbon Commission. If the vote of the public says that it is binding, what do you need a Blue Ribbon Commission for? If we are going to have petitions from the public and they are going to say they want either or, what do we need a Blue Ribbon Commission for?

**The Chair:**

May I have a motion to adjourn please?

**Mr. Givens:**

One more thing Mr. President, on Bill No. 2873 which will come up this Wednesday, if I could have an opinion from our Law Department as to whether or not this bill should even be before us, that is the bill on the nine Councilmen at-large.

**The Chair:**

Bill 2873?

**Mr. Givens:**

Yes, I think we have a bill already that this Council has passed on and I wonder if --

**Mr. Flaherty:**

The Mayor has not acted on that bill yet, that has not been enacted into law as yet.

**Mr. Givens:**

No, I am talking about the one that you are proposing that will come up for

-- Bill No. 2873.

**Mr. O'Malley:**

Mr. President, I would just like to say, as far as the Commission is concerned, this time I agree with Mr. Flaherty, that we have already voted to put the three questions on the ballot, I think instead of a Blue Ribbon Commission to study it, I think what we ought to do is have an education committee made up of members of this Council to go out into the community to give --

**Michelle Madoff:**

Of this Council?

**Mr. O'Malley:**

Of this Council or anybody else who wants to go out to the communities to request it to give the pros and the cons so that the people in the neighborhoods who vote on this will have a clearer idea between Council by district and Council at-large. I think what we need is an education committee to give the pros and cons, not a Blue Ribbon Commission.

**Michelle Madoff:**

I think the people are smarter than you think they are.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, APRIL 13, 1981

No. 1

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAY... Ass't City Clerk

Pittsburgh, PA  
Monday, April 13, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 2981 An Ordinance amending Chapter 209 of the Pittsburgh Code entitled "Violations, fines, interest and penalties" to include a new section

authorizing the City Treasurer to waive interest, penalties and additions to tax otherwise chargeable to certain elderly widowed or disabled persons living on a low or moderate income. .

Also,

No. 2982 Resolution providing for the issuance of a warrant in favor of Casimir Pellegrini and Associates in an amount not to exceed \$1,500.00 in payment for extra work to be performed in connection with the new #10 Fire Station, West End, and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 2983 Resolution amending Item (G) of Resolution No. 291, approved 3/26/81, authorizing the sale of lot on Kilbourne Street, 15th Ward, B & L 56-D-Part 97, to Anthony P. Mazzei, for the sum of \$400.00. Amendment is to correct the spelling of purchaser's name.

Also,

No. 2984 Resolution amending Item A of Resolution No. 292, approved 3/26/81, authorizing the sale of vacant land in the 3rd Ward on Vine Street, & Foreside, designated as Block 2-H, Lots 275-283, inclusive, to Paul A. Love, for the sum of \$9,750.00. Amendment is to add name of former owners.

Also,

No. 2895 Resolution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 2986 Communication from Paul E. Evers, Deputy Director, Department of Lands and Buildings, requesting interim approval of payment of \$9,200.00 to General Elevator Company for extra work in connection with modernization of Elevator H to comply with regulations of State Department of Labor and Industry, to be payable from CDLB 80-10, Public Buildings Access by the Handicapped, Department of Lands and Buildings.

Also,

No. 2987 Communication from Paul E. Evers, Deputy Director, Department of Lands and Buildings, requesting interim approval of monthly payments to Otis Elevator Company for maintenance of automatic elevators in City-County Building, in order to continue proper maintenance pending development of new contract documents to be payable from Code Account 1364, Repairs, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

No. 2988 Resolution amending Resolution No. 1186, approved 12/31/79, effective 12/31/79, entitled, "Providing for the issuance of a warrant in favor of Dick Enterprises, Inc., in the amount of \$150,061.59, in payment for Emergency Work in connection with the Royal Street

earth mass movement, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof," by decreasing the total allocation to \$146,029.61.

Which was read and referred to the Committee on Finance.

Also,

No. 2989 Resolution accepting the dedicatin of London Town Drive as shown and dedicated on the London Towne Revised Plan of Lots in the 19th Ward of the City of Pittsburgh by Concept Realty Enterprises, Incorporated by opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing the grade, and accepting the grading, paving, curbing and sewerage thereof.

Also,

No. 2990 Resolution granting unto Mrs. Ruth A. Schneider, 1154 Southside Avenue, Pittsburgh, PA 15212, its successors and assigns, the privilege and license to continue to use and maintain at its own cost and expense, for the duration of the present driveway (1154 Southside Ave) encroaching on East Lane in the 26th Ward of the City of Pittsburgh.

Also,

No. 2991 Resolution amending Section 8 of Resolution No. 1194, approved November 17, 1980, effective November 21, 1980, entitled, "Authorizing the Director of the Department of Public Works to give his approval to construct a concrete drive in Spring Way", in a portion of the street in the 2nd Ward of the City of Pittsburgh.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 2992 Resolution amending Resolution No. 190, approved 2/26/80, warrant in favor of Scullli Brothers, Inc., in the amount of \$2,900.00 for cutting and capping existing fire hydrant branch providing for the payment thereof, by changing the source of funds 1981 Capital Budget WD 81-18 (4-05-0001-81).

Which was read and referred to the Committee on Finance.

Also,

No. 2993 Resolution authorizing the Director of the Department of Water to grant the application of Ametek, Inc./Thermox Instruments, Div. R.I.D.C. Industrial Park, O'Hara Township, Pittsburgh, PA 15238 for two fire hydrant connections outside the City of Pittsburgh.

Also,

No. 2994 Resolution providing for an agreement for professional engineering services, design of water line installations, Saline Street and Boundary Street, cost not to exceed \$100,000.00, chargeable to WD 80-12 Professional Engineering Consulting Services with Community Development.

Which were read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 2995 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Rupert Friday and Daniel Dziubek to attend Project Learning Tree Workshop, Ford City, PA, April 24-26, 1981, at a cost not to exceed \$50.00, payable from Code Account 1801,

Miscellaneous Services, Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 2996 Resolution filing of a Urban Development Action Grant Application by the City of Pittsburgh with HUD in connection with the Washington Heights Project.

Also,

No. 2997 Resolution providing for an Agreement(s) with the uptown Little League for the construction of a Auxiliary Recreation Facility to be located at Martin Luther King Field.

Also,

No. 2998 Resolution providing for the execution of a Cooperative Agreement/s with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1981 Community Development Block Grant Program and providing for the payment of the cost thereof.

Also,

No. 2999 Resolution providing for an Agreement/s with the County of Allegheny, School District of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh regarding the disposition of properties acquired at City Treasurer Sales.

Also,

No. 3000 Resolution approving the Convention Center Redevelopment Proposal, dated April, 1981, including the

Redevelopment Area Plan for redevelopment activities in Redevelopment Area No. 46 in the Second Ward of the City of Pittsburgh.

Also,

No. 3001 Resolution authorizing the Mayor, the Director of the Department of City Planning, the Director of the Department of Parks and Recreation, the Director of the Department of Public Works and the Director of the Department of Water, for and on behalf of the City of Pittsburgh to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the redevelopment of the Convention Center Redevelopment Project, being Redevelopment Area No. 46, located in the Second Ward of the City of Pittsburgh providing for the vacation of certain rights of way in said area, for the conveyance of all the City's right, title and interest in and to said vacated rights of way to the Urban Redevelopment Authority of Pittsburgh, the dedication of certain rights of way, the making of certain payments by the City of Pittsburgh to the Urban Redevelopment Authority of Pittsburgh, and providing for non-discrimination in the use of public facilities and setting forth the terms of the agreement.

Also,

No. 3002 Resolution approving the sale of Parcels 197 and 200 (Sheffield Street) in the 21st Ward of the City of Pittsburgh by and between URA and Manchester Citizens Corporation for \$10,000.00 -- Redevelopment Area No. 27.

Also,

No. 3003 Resolution approving the sale of Block 22D, Lots 161 and 162 and

Block 46N, Lot 201 in the Twenty-Fifth Ward and Block 45M, Lots 111, 112 and 113 in the Twenty-Sixth Ward of the City of Pittsburgh by and between the URA and Infill Housing Corporation for \$1,000.00 per dwelling unit -- Residential Land Reserve Fund (1907 - 1909 N. Charles, 2121 - 2125 Wilson & 2414 - 2418 N. Charles).

Also,

No. 3004 Resolution approving the sale of Block 174N, Lot 304 in the Thirteenth Ward of the City of Pittsburgh by and between URA and Steven and Bernadette Wilson for \$100.00 Great House Sale (7222 Susquehanna).

Also,

No. 3005 Resolution approving the sale of Block 174B, Lot 109 in the 13th Ward of the City of Pittsburgh by and between URA and Harry Gore for \$100.00 -- Great House Sale (1511 N. Homewood).

Also,

No. 3006 Resolution approving the sale of Parcel 84 (Webster and Granville) in the 3rd Ward of the City of Pittsburgh by and between URA and Charles Timothy Stoner for \$1,000.00 -- Redevelopment Area No. 31.

Also,

No. 3007 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 96-B-252 and the portion of Block 96-B-248 known as Lots 454 and 455 in West Liberty Improvements Company's Plan

called 5th Ward Brookline, recorded in Plan Book Volume 25 Pages 46 and 47 in the Recorder's Office of Allegheny County, Pennsylvania.

Also,

No. 3008 Resolution approving an amendment to Resolution 1298 of 1980 to include Block 96B Lot 252 and part of Block 96B Lot 248 in Contract for Disposition of Land by and between URA and National Church Residences of Brookline, PA — Residential Land Reserve Fund, 19th Ward.

Also,

No. 3009 Resolution, authorization to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the construction by the City of Pittsburgh of the Aurelia Street Extension in the Seventh Ward utilizing Funds provided by the Urban Redevelopment Authority, the same to be reimbursed from Bond Funds.

Also,

No. 3010 Resolution amending Resolution No. 174, approved February 20, 1981, entitled, "Providing for an Agreement/s with the County of Allegheny for the provision of the local matching share funds required in connection with the Economic Devel. Admin. Revolving Loan Fund administered by Pgh-Countywide Corporation; and providing for the payment of the cost thereof.

Also,

No. 3011 Communication from Robert Lurcott, Director, Department of City Planning, requesting reimbursement to Raymond Reaves of \$180.00 for expenses incurred in attending meeting with Department of Housing and Urban

Development concerning Neighborhood Urban Development Action Grant Application, Washington, DC, April 1981, payable from Code Account 110 Miscellaneous Services, Department of City Planning.

Also,

No. 3012 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Richard Smith to attend National Community Development Association Conference, Washington, DC, April 29-May 1, 1981 at a cost not to exceed \$700.00, payable from CDBG Program Department of City Planning Administration, Code Account CDPA.

Also,

No. 3013 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Director deLuca to attend Council for Urban Economic Development Conference, Washington, DC, May 17-20, 1981, at a cost not to exceed \$750.00 payable from Economic Development Planning Program Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 3014 Resolution providing for the issuance of a warrant to Elizabeth Czurko and Joseph Czurko, her husband c/o Albert C. Odermatt, Esquire, in the sum of \$6,000.00 in full settlement of lawsuit for personal injuries and providing for the payment thereof.

Also,

No. 3015 Resolution providing for

an Agreement(s) with Manchester Craftsmen's Guild to provide classroom training for eight (8) CETA participants and providing for the payment of the cost thereof not to exceed \$23,855.00, 50% of which shall be payable from CETA Trust Fund, Federal Funds and 50% from C-EOPP Trust Fund, Federal Funds.

Also,

No. 3016 Resolution providing for an Agreement/s with Western Pennsylvania School of Health Technology to provide classroom training in health care assistance for ten (10) former Job Search (EOPP) participants and providing for the payment of the costs thereof not to exceed \$5,215.00, payable from C-EOPP Trust Fund, Federal Funds.

Also,

No. 3017 Communication from John E. McAllister, Manager, City Information Systems, requesting permission for Messrs. Good and Goliat, to attend Computer Systems Software Utilization Course, Wellesley, Massachusetts, May 11-15, 1981, at a cost not to exceed \$1,287.00, payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also,

No. 3018 Communication from Melanie J. Smith, Director, Personnel & Civil Service, requesting permission for Philip Schugar and Josephine Kenney, Department of Personnel & Civil Service, to attend Audit Resolution/Debt Collection Training Session, Pittsburgh, PA, May 5-6, 1981, at a cost not to exceed \$50.00, payable from CETA Trust Fund, Federal Funds.

Which were severally read and referred

to the Committee on Finance.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 3019

Report of the Committee on Finance for April 8, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2847

Resolution entitled, "Resolution providing for an Agreement or Agreements with Advanced Research Resources Organization for professional consulting services in the development and validation of job related medical and physical standards for use in qualifying applicants for employment and promotion; providing for the payment of the cost thereof; and creating a special trust fund in connection with this project." (AS AMENDED IN COMMITTEE)

Which was read.

### The Chair:

Is there any discussion on the bill?

### Mr. Flaherty:

Mr. President, I vote no on Bill No. 2847.

### Michelle Madoff:

Mr. President I vote no on Bill No. 2847 and I would like to compliment Councilman O'Malley, my disagreement,

I hope, was taken in good faith. I am concerned that the information that would be gathered could be used against the people. I hope I am wrong and if I am I will again commend him for his efforts. But I will vote no on that bill, 2847.

**Mr. O'Malley:**

I would just like to comment on Bill No. 2847 and to explain to my fellow Councilpersons that it could read; medical, physical standards to qualify handicapped people for employment and for promotion --

**Michelle Madoff:**

And you want to amend it?

**Mr. O'Malley:**

No, what it is to do is to clarify the fact that just because a person is handicapped that they can't be excluded from City employment or promotion. This is what the bill is meant for.

**Michelle Madoff:**

But it also was designed to tie in with the "fat bill" and all that other business and the other problems. I'm just concerned that they would use the information in a deleterious way and I am just concerned.

**The Chair:**

Is there any further question on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 6 NOES 2  
(MR. FLAHERTY AND MICHELL  
MADOFF VOTING NO)

And a majority of the votes of the Council being in the affirmative, the bill passed finally.

Also,  
Bill No. 2886

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of BIF, Box 10018, Church Street Station, New York, N. Y. 10249, in the amount of \$9,523.64 in payment for purchase of Chlorinating Equipment Repair Parts furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 2905

Resolution entitled, "Resolution providing for the issuance of a \$2,233.50 warrant in favor of JC Penney Casualty Insurance Company and Larry Sanders in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 2906

Resolution entitled, "Resolution providing for the issuance of a \$1,244.60 warrant in favor of Edward R. Gasior in settlement of claim for automobile damage."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Which was read.

Also,

Bill No. 2907

Resolution entitled, "Resolution amending a portion of Resolution No. 1329 approved December 12, 1980 entitled, 'Providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training) and providing for the payment of the costs thereof.'"

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 3020

Report of the Committee on Public Works for April 8, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2880

Resolution entitled, "Resolution accepting the dedication of Eloise Street as shown and dedicated on the West Park Court Plan, in the Twenty-Second Ward of the City of Pittsburgh, by West Park Court Highrise for the Elderly, for public highway purposes, opening and naming the same, fixing the width and position of the roadway and sidewalks, establishing the grade, and accepting the grading, paving, curbing and sewerage thereof."

Which was read.



Also,

Bill No. 2881

Resolution entitled, "Resolution providing for a contract or contracts for the rehabilitation of the Charles Anderson Memorial Bridge Drainage System; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2882

Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution No. 849, approved August 19, 1980, as amended by Resolution No. 850, approved August 19, 1980, as amended by Resolution No. 970, approved September 25, 1980, as amended by Resolution No. 1026, approved October 10, 1980, as amended by Resolution No. 1105, approved October 24, 1980, as amended by Resolution No. 1390, approved December 31, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program' by redefining the funding sources."

Which was read.

Also,

Bill No. 2883

Resolution entitled, "Resolution amending Resolution No. 1051, approved October 20, 1980, effective October 23, 1980, entitled, 'Providing for an Agreement or Agreements for Engineering Services in connection with the steel inspection of Greenfield

Avenue Bridge; and providing for the payment of the cost thereof' by authorizing a Supplemental Agreement for Engineering Services and by increasing the total project allocation from Twelve Thousand (\$12,000.00) Dollars to Twenty Thousand (\$20,000.00) Dollars."

Which was read.

Also,

Bill No. 2884

Resolution entitled, "Resolution amending Resolution No. 834, approved August 19, 1980, effective August 25, 1980, as amended by Resolution No. 1384, approved December 30, 1980, effective December 31, 1980, entitled 'Providing for a contract or contracts for sewer reconstruction in Nine Mile Run from Love Street connector to Parkway East and private property (PW 80-26)' and providing for the payment of the cost thereof', by decreasing the total project allocation from Five Hundred Thousand (\$500,000.00) Dollars to Three Hundred Thousand (\$300,000.00) Dollars."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 3021

Report of the Committee on Planning, Housing and Development for April 8, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2895

Resolution entitled, "Resolution amending Resolution No. 279, approved March 19, 1981, effective March 26, 1981, providing for a Contract or Contracts for the Reconstruction of Streets and Lighting for various areas of Pittsburgh's North Side in connection with the UDAG Program, by adding the reconstruction of water lines; and providing for the payment of the cost thereof."

**Michelle Madoff:**

Mr. President, I would like the City Clerk to please write a letter to the Mayor and to Mr. Richard Cosentino asking how he proposes to do the work without engineers.

Which was read.

Also,

Bill No. 2896

Resolution entitled, "Resolution

providing for a Contract or Contracts for the improvement of the Alpine Steet Play Area of Pittsburgh's North Side in connection with the UDAG Program; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2897

Resolution entitled, "Resolution providing for an Agreement or Agreements with Guide-Post Research, Incorporated and Gary Fry and Associate Consultants for the undertaking of a marketing study of the Allegheny West Business District located on Pittsburgh's North Side."

Which was read.

Also,

Bill No. 2898

Resolution entitled, "Resolution providing for an Agreement or Agreements with E. L. Crow, Incorporated of 4126 Jackson Drive, Lafayette Hill, Pennsylvania, to act as the consultant to a market study of the East Ohio Street Business District, at a cost not to exceed \$11,323.00 Dollars."

Which was read.

Also,

Bill No. 2899

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 25th and 26th Wards of the City of Pittsburgh designated in the Deed

Registry Office of Allegheny County as Block and Lots: 23-A-107, 23-E-147, 23-A-157, 46-P-361, 46-G-138, 22-D-137, 22-D-132, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2900

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Sarah White, Administratrix of the Estate of Wilbert White, and designated as Block and Lot 23-g-132 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES ■ NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 3022

Report of the Committee on Supplies for April 8, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2885

Resolution entitled, "Resolution amending Resolution Number 1419 approved December 31, 1980, entitled 'Providing for the letting of a contract or contracts for the furnishing and delivery of computer equipment (dual fixed disk data banks) for the Police Department and providing for the payment thereof by increasing the amount from \$33,000.00 to \$43,478.15 by deleting the bracket portion describing the equipment.'"

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
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Mr. Givens            Mr. Robinson  
Michelle Madoff      Mr. Stone  
Mrs. Masloff        Mr. DePasquale  
                              (Pres't)

AYES 8                NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

Bill No. 3023

Report of the Committee on Water for April 8, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2887

Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Water, on behalf of the City of Pittsburgh, to enter into an agreement with the Commonwealth of Pennsylvania providing for the reconstruction of certain water facilities in connection with the improvement and construction of Legislative Route 120, Section 70M and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty            Mr. O'Malley  
Mr. Givens              Mr. Robinson  
Michelle Madoff        Mr. Stone  
Mrs. Masloff            Mr. DePasquale  
                              (Pres't)

AYES 8                NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 3024

Report of the Committee on Parks & Recreation for April 8, 1981, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2889

Resolution entitled, "Resolution providing for an Agreement or Agreements with Robert Morris College, for the services of the group named Pittsburgh Folk Festival in connection with the 1981 Recreation Program of the Department of Parks and Recreation; and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 3025

Report of the Committee on Lands and Buildings for April 8, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2874

Resolution entitled, "Resolution repealing Resolution No. 11, effective February 17, 1981, entitled, 'Providing for a Contract or Contracts or the use of existing contracts in connection with City-County Building Renovation of the Fifth Floor and providing for the cost thereof.'"

Which was read.

**Mr. Robinson:**

Mr. President, on Bill No. 2874 I would like to make a couple of comments. I can appreciate the difficulties in finding adequate office space in the City of Pittsburgh for all of

our departments and I can also appreciate the Administration's desire to have all of the departments as close to the City-County Building as possible, but for some time various members of Council have raised the issue of inadequate office space. While Mr. O'Malley and Mr. Stone are doing what they can to try to expand our present office space I think perhaps we as Council need to do more to impress upon the Administration the necessity for Council to have additional office space in this building and to have priority over some of the departments that are expanding. I think the situation is getting intolerable, certainly for myself. I don't plan to vote for #2874 for that reason.

I would like the City Clerk to forward a letter to the Mayor and ask the appropriate persons in the Administration could forward to Council some information relative to what space is available in this building and also to make available to us any information which would allow us to rent office space in other buildings in downtown Pittsburgh.

**Michelle Madoff:**

Mr. President, I was going to raise exactly the same issue that Councilman Robinson has so eloquently stated. I think at some point we have to say we are not going to pay for bringing other office space into here where Councilmembers don't have room for their staff, we don't have room to turn around you have to ask your secretary or aide to stop typing when you are on the phone you have a meeting with someone and you have to ask them to stay in the hall they can't do any work, it is ludicrous and Mr. Robinson — I have been in his office and he practically has to reach over his secretary's head to work. I probably have the most adequate space

and I find it inadequate and I think that we ought not to move on this bill today and we ought not to move at all because Mr. O'Malley has really been beating his head against a stone wall, he has spent a lot of his own time trying to get the Mayor's aides; I think he met with Mr. Hayllar, he had Mr. Hayllar down the hall, I have been trying for two years, I know you Sir have tried for us yourself, I think even Mr. Stone tried to see what he could do two years ago — a year ago — so, I think at some point we have to say, "Okay, you don't give us space —

**The Chair:**

Do you want to recommit the bill? That would be your best bet and then maybe we'll come up with some action.

**Michelle Madoff:**

Well, let's just not vote for it. Mr. President, there is office space available. We don't vote for this until they give us space and I would like to make that as a motion.

**The Chair:**

To recommit it is the same thing as not voting for it and then the Mayor may come over here and amend it.

**Michelle Madoff:**

Would you recommit?

**Mr. Flaherty:**

Yes. I move to recommit until we have a response from the Mayor's Office.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any discussion on the

motion to recommit Bill No. 2874?

**Mr. Givens:**

Mr. President, discussion on that recommitment. Does one know what this work is that is being done here?

**Michelle Madoff:**

Yes, the fifth floor.

**Mr. Givens:**

Yes, renovation of the fifth floor —

**Michelle Madoff:**

It's the Water Department, it is my department.

**The Chair:**

Well, by recommitting it we will find out what they want to do.

**Michelle Madoff:**

Right on Mr. President.

**Mr. Givens:**

I am going to vote no. I would think that this Council would act appropriately. If we wanted, and I think all of us want it, our office space to be expanded back there because of additional staff, I think we have to do it in a logical sense. If we have ever put it into the budget, if we have I am not aware of it. I know there are plans but those plans have never been submitted. To use this to do something on the part of the Administration when in fact we haven't even put our own plans forward is asinine.

**Michelle Madoff:**

We have put our plans forward.

Mr. O'Malley was very specific, he took Mr. Hayllar down the hall —

**Mr. Givens:**

Excuse me, when did we put those plans forward? We do things on a five year program here, we do things on a yearly financial plan. I cannot recall this Council submitting any paperwork to the Administration to do certain work within Council's area.

**Michelle Madoff:**

Mr. Stone, am I incorrect? Didn't you try to get us some space last year at budget time?

**The Chair:**

There really was no reason why we shouldn't have taken over this whole part of the building, we should have had the rooms across the way.

**Mrs. Masloff:**

I'll vote no on the recommittal, I don't think we should hold up somebody else's work just because we can't get what we want.

**Mr. O'Malley:**

I don't think anybody worked harder on this last year to get office space, I talked to the Mayor and David Matter and Ben Hayllar and the Mayor again, and I talked to Mayor Caliguiri this afternoon again and he assured me next year --

**The Chair:**

That's every year.

Mr. O'Malley:

Yes, I don't know how long this has

been going on -- that they have plan drawn up to extend Council office which I must say, Council's offices are joke -- out into the hallways. Now haven't seen these plans, I don't know how much money has been allocated for this but anything to help to get adequate office space, I would be in favor of.

**Mr. Givens:**

May I say the Chief Clerk has had those plans for how long Mike? Two or three years?

**Mr. Perry:**

Ever since I took over, that is 1977 we are talking about.

**Mr. Givens:**

Council, always in their austerity and to keep the tax bill down in the City of Pittsburgh, has taken it into consideration. I think it is time. We have had full time researchers for one year, but we must appropriate too.

**Mr. O'Malley:**

Everyone has nicer offices than Council. I don't understand this. I work in an eight by ten foot room.

**The Chair:**

I don't want to be facetious but remember that Councilman Lucchini didn't have enough room to put all of his family's pictures up.

**Mr. O'Malley:**

I'd be satisfied with enough office space to do some work in.

**The Chair:**

Hell, if I put all of my relation's pictures up we'd need the whole floor.

**Mr. Robinson:**

Mr. President, if I might, just for a point of clarification relative to my concern, I am not concerned about where that office space is. As I previously indicated, I think both Mr. O'Malley and Mr. Stone have tried to do what they can to expand our present office space and all of the members of Council that I have talked to feel that their present office space is inadequate. I don't even think it is a question of trying to inconvenience anyone who is due money. I think that if Council believes that it needs additional office space that we are entitled to get some information relative to that from the appropriate people in the Administration, I think also we have a right to secure additional office. On numerous occasions the Administration has asked us to authorize and to rent space outside of this building to expand programs. I for one do not plan to remain in my present office space even if it means homesteading, squatting, in some other spaces available. I am simply attempting to get this issue brought to a head. If someone thinks it is appropriate for us to move into the new Oxford Building when it goes up, fine. If someone thinks we should move into the Manor Building, fine. But I have no plans to remain in my present office space regardless of what the Administration does and at some point if I can't get decent office space in this building, you will find me in another building and I will certainly send the bill right here.

**Michelle Madoff:**

I applaud you. Now if we could work on staff.

**The Chair:**

An angry man.

**Mr. Stone:**

I would suggest that everyone read the first line of the bill. We are repealing it which means it is not going through. I think we ought to pass the bill so that we can get the space that we are all looking for.

**The Chair:**

Well, the feeling of the matter was that if it was recommitted then the Mayor would come over and talk to us about including Council in it, so I go along with it personally.

**Mr. O'Malley:**

Michelle, read the bills, will you?

**Michelle Madoff:**

She usually does. She does miss the word, "repealing" now and again.

**Mr. Stone:**

Since this bill says, "repealing", I have to vote no on the recommitment.

**Michelle Madoff:**

Why don't we just have our comments today sent in a memo over to the Mayor that we are not going to vote for other things, I think that was the message we were trying to deliver.

**The Chair:**

Is there any further discussion on the recommitment?

And on the question, "Shall the bill be recommitted?"

The ayes and noes were taken



agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley  
Mr. Robinson  
Mr. DePasquale

Noes:

Mr. Givens  
Mrs. Masloff  
Mr. Stone

AYES: 5                      NOES 3

And a majority of the votes of Council being in the affirmative, the bill was recommitted.

Also,

Bill No. 2875

Resolution amending Item A of Resolution No. 263 approved 4/11/80, for the sale of lot in the 5th Ward on Milwaukee Street designated as B & L 26-N-26A, to James LeRoy & Cynthia J. Walls, his wife, for the sum of \$600.00. Amendment is to add lot #27 to the sale.

Which was read.

Also,

Bill No. 2876

Resolution repealing Resolution No. 1090, approved 12/5/79 for the sale of 2 story frame house 116 rear Amanda Street (Mt. Oliver Boro) designated as B & L 14-L-242, to Frank P. Leonardi and Joan Mitchell for the sum of \$950.00. Resolution is to cancel sale and forfeit hand money.

Which was read.

Also,

Bill No. 2877

Resolution repealing Item (D) of Resolution No. 402 approved 5/12/80 authorizing the sale of a 3 story brick apartment building at 709-11 N Homewood Avenue, 13th Ward designated as B & L 174-J-138 to Donald & Shirley Tyler and Allen Morton, for \$10,000.00. Resolution is to repeal sale & return hand money.

Which was read.

Also,

Bill No. 2878

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

### Mr. O'Malley presented

No. 3026 WHEREAS, crime continues to be a critical social problem in the United States; and

WHEREAS, at least one in five Americans become victims of crime each year; and

WHEREAS, crime victims and witnesses are too often overlooked by our system of justice in its efforts to apprehend, prosecute, and fairly sanction criminal offenders; and

WHEREAS, the serious nature of crime is most clearly demonstrated in its devastating impact on the victim; and

WHEREAS, the fair administration of justice mandates that the citizens of the United States, and most particularly its public servants, recognize and honor the rights of victims, witnesses, and their dependents or survivors;

NOW, THEREFORE,

BE IT RESOLVED, that the Members of the Council of the City of Pittsburgh do hereby proclaim the week of April 20-26, 1981 as "Victim Rights Week" and urge all citizens and institutions, public and private, to support the establishment and enforcement of victims rights in Pittsburgh through participation in local and state activities commemorating those rights.

Which was read.

Mr. O'Malley moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

### The Chair:

We'll have no crime for one week then?

### Mr. O'Malley:

One week.

### Mr. Stone:

On this resolution, in view of this particular bill there is a live matter that I would like to cover if I may. I would like for this body to move to adjourn today in memory of those 23 children in Atlanta, Georgia, and all other victims of crime. No one can possibly tolerate or condone these kind of dastardly acts. I think taking life is one thing, but to take the lives of young people, this is probably the worst kind of crime that possibly can be perpetrated and I hope that when we pause in this moment of silence and prayer for them, that with it would be our hopes and our prayers that the individual or individuals who are perpetrating these matters will surrender or be captured and hopefully during this week, "Victims Rights Week", I think it is about time that we recognize that it is not a City of Atlanta problem, it is a problem for all of us throughout the United States and the free world where people have a right to live.

### The Chair:

Would you all stand please for a moment of silence.

## MOMENT OF SILENCE

Thank you.

Michelle Madoff:

Mr. President, there was a notice in the paper, and I think it came before Council -- the days that they were going to be cleaning up streets -- I presume the other members of Council have started getting the calls I am getting and the mail coming into their offices about streets not being cleaned, I have turned them over to Mr. Gaetano and to Norm Walker. Are we going to tow those cars away so that the street cleaning equipment can get by, would that be the will of Council?

**The Chair:**

Michelle Madoff I am going to tell you something about cleaning streets. All the letters and calls I ever got was that they couldn't park and they were opposed to that cleaning on certain days. Now the City has decided to post a day before and the cars don't leave there because the people don't care. Now what are you going to do if people don't care? First they wanted to park and now they won't even get out of there the day they are trying to clean their streets. You just can't get out there and tow fifty cars at every block and that is about what it amounts to.

**Michelle Madoff:**

Well Mr. President, my understanding was that there used to be a permanent sign up saying --

**The Chair:**

There was and they complained that they were getting ticketed for parking there on those days and they couldn't park there those days --

**Michelle Madoff:**

Well they shouldn't be parking that day, they should be towed that day, including me.

**The Chair:**

And the consensus was they didn't want those signs up, they didn't want them from April through November.

**Michelle Madoff:**

No, that's not exactly what happened sir, my understanding --

**The Chair:**

You weren't here on Council when those complaints were coming in.

**Michelle Madoff:**

No, when we discussed the cleaning thing, we had a hearing on the cleaning and in the public hearing, we had several groups come before us and they wanted to revert back to the old system.

**The Chair:**

Look, I'm on the side of the cleaning of the streets, I'm only telling you the public has made it impossible. They will not cooperate.

**Michelle Madoff:**

Well then why don't we make them cooperate by towing the car off the street and giving them enough notice, a week ahead of time --

**The Chair:**

You'll tow a guy this week and next week another guy will be in that space and he'll get towed, and he'll get towed and he'll get towed.

**Michelle Madoff:**

Fine, fine, but at least the streets will be cleaned.

**The Chair:**

They're not going to clean the streets because by the time they get the cars towed it will be quitting time.

**Michelle Madoff:**

Well that isn't an answer for this leadership. If we are going to exert some leadership, then let's do it, we either tow the car away when there is a sign up and put the sign up early enough.

**The Chair:**

I told you we're all on your side but it isn't going to happen Michelle. Short of towing away, then all the cars disappear.

**Michelle Madoff:**

When the signs were up before, people did not park generally on the street when they knew that was a day when the cleaning was going to happen. Maybe one car would park there --

**The Chair:**

We can initiate the action to put those signs back up again, and that isn't going to help either.

**Michelle Madoff:**

No because they put it up the day before and nobody knows it, or they put it up at night after you have been in the house 24 hours.

**Mr. Givens:**

There is no way Mr. President, I feel the same way as Michelle, it is very frustrating to see the signs up there and people not obeying them, but at the same time, I think it would be undue punishment to have a vehicle towed

away. The only time we tow a vehicle away is when it is blocking a particular fire lane or something of paramount importance to the safety of people. Parking your vehicle out on your street in front of your own home, if you are neglectful you are tagged on it right now and you must pay that particular fine. If anything, I would submit to this Council that if they would want to go forward, that we might possibly think of increasing the particular fine on that particular citation.

**The Chair:**

Dick, it is a little similar to the litter problem. Saturday afternoon I stood in front of the Record Mart and the Original Fish Mart on Forbes Street in Oakland and they have a young gentleman who comes along every so often and sweeps the sidewalk from Oakland Avenue to Atwood Street and there is one that does it from Atwood to Meyran and one who does it from Oakland Avenue onto Bouquet and within about ten minutes, these -- I would imagine they were students, they were young kids anyway, and they were coming out and throwing cups down and napkins down and it is like no one ever cleaned up, now if they would have come back and cleaned up again, you would have had the same thing again, and again, and again. Like I say, if people aren't clean and don't want to obey the law, what can you do? Can you be out there sweeping all day long or arresting them or shooting them?

**Michelle Madoff:**

Mr. DePasquale, I don't think that is fair, we are not talking about the same matter.

**The Chair:**

I am only saying it is a similar

matter, I am making an analogy, one is as bad as another. We are all on your side on litter too, but at the same time, it is a battle you can't win Michelle. You can't win it.

**Michelle Madoff:**

I don't remember the last year they cleaned my street. If a sign went up a week in advance saying we were going to be there Monday the 20th, people would know they couldn't park on that day and the street would be cleaned perhaps for the first time in five years. Now, we are supposed to clean the streets three times a year, it is not unreasonable to ask people three times a year, giving them enough notice not to part their cars one day, and if they do we ought to tow it.

**The Chair:**

Well, I'll give you another analogy, there is a small town in Italy where the women go down on their hands and knees and literally --

**Michelle Madoff:**

Why not men?

**The Chair:**

...mop the streets and scrub them down. Why don't you and your neighbors and those others in \$200,000 homes get out and do the same thing.

**Michelle Madoff:**

Do you want to go out with me?

**Mr. Givens:**

On another subject Mr. President. We will have a bill before us this coming Wednesday dealing with the canopy, whatever you want to call it --

**The Chair:**

Canopy?

**Mr. Givens:**

The stage in Point State Park, and to all of our dismay I guess we read the one article in the local newspaper and the fact that nothing -- this falls under my committee, Department of Public Works, but nothing was brought to me in regards to it and I think it is rather unique in one way and sad in another. I made an on-spot inspection of that, looked at it from various vantage points throughout the City and I would have to say that I wonder why we are building such a particular stage in that particular area. I know it is for a good purpose and everything but for this coming Wednesday Mike, I would like to have someone from the Mayor's Office, Point State Park, if appropriate and if they feel deemed to come down, the Historical Landmark People, Art Ziegler and Company. I think U. S. Steel is footing the majority of the bill for this out of their charity, whoever is responsible in U. S. Steel and naturally our Department of Public Works, Lou Gaetano and anyone in that department and my sole reason is to find out why there wasn't some coordination on this with the Point Park People, the Historical Landmark people, with the people who worked so hard to put that particular park in. I feel personally it is just my own observation that this particular stage is detracting from the Point. Now, there might be something that they can do to that stage to have it blend in a little bit more so with the scenery down there, but it sticks out right now, not as a sore thumb because it is for a good purpose, but it does stick out and I think it detracts from what the original purpose was for the whole State Park.

Secondly, I would like to keep in mind that there is a UDAG Grant for Mt. Washington, and I can see something else developing there, they are going to put a platform, apparently coming from the condominiums, the parking facility there, over the Grandview Street, right out -- and this would be kind of a walkway over the Duquesne Incline. Now here is another historical landmark within the City that is not going to be defaced but there is going to be something else up there and I would like our Art Commission and other various authorities and historical societies within the City of Pittsburgh, Allegheny County and the State to start looking at this and before we appropriate monies for these things I want to get at least their blessings or their feelings on it. I don't want them to completely stop any project that might come forward but I think we should have their input and we have not had their input in regard to Point State Park and I feel very saddened because of that.

**Michelle Madoff:**

Mr. President, did you happen to see in yesterday's paper, page A-6, "PPG Executive Streamlines County Taxes"? It seems that PPG donated for a dollar a year, services of a Thomas Nighter who worked in (Frank) Lucchino's office? I wonder whether PPG is really a City acquisition, that perhaps they might give us somebody to come up and give us some help. It is going to help people get their tax rebates, a lot of the checks that are being returned to people very rapidly, in weeks instead of months. Certainly you know we have had terrible problems with slow pay, we might even be able to go beyond the Controller's Office and back track and find out where the backlog is or the bottleneck is and how the inter-departments inter-react with the Controller's Office and where the bottlenecks are to streamline. We certainly have enough computer

equipment and the lines up here, it might just be a good move for us, what do you think?

**The Chair:**

No harm in trying.

**Michelle Madoff:**

I want to ask Mr. D'Alessandro and see what he can come up with.

**The Chair:**

Look into that Al.

**Mr. Robinson** moved to approve the minutes of Monday, March 30, 1981 and Monday, April 6, 1981.

**Mr. Stone** seconded the motion.

And on motion of **Mr. Robinson**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, APRIL 20, 1981

No. 1

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE** . . . . . President

**MICHAEL PERRY** . . . . . City Clerk

**WILLIAM F. McCRAY** . . . . . Ass't City Clerk

Pittsburgh, PA

Monday, April 20, 1981

#### PRESENT:

Mr. Flaherty

Mr. Givens

Michelle Madoff

Mrs. Masloff

Mr. O'Malley

Mr. Robinson

Mr. Stone

Mr. DePasquale  
(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 3027 Resolution providing for an Agreement or Agreements and/or a contract(s) in connection with the

renovation of Engine Co. #4, Uptown and providing for the payment of the cost thereof at an aggregate cost not to exceed \$115,000.00, payable from Fire Headquarters Renovation, Capital Project LB 81-03, Engine Co. #4, Department of Lands and Buildings.

Which was read and referred to the Committee on Lands and Buildings.

##### Mr. Givens presented

No. 3028 Resolution transferring \$1,500.00 from Code Account No. 1160-1, Premium Pay, to Code Account No. 1162, Gas and Electric, Department of Environmental Services.

Which was read and referred to the Committee on Finance.

##### Michelle Madoff presented

No. 3029 Resolution providing for a contract(s) for the relay of undersized water lines serving fire hydrants in various streets, at a cost not to exceed \$580,000.00, chargeable to and payable from the following Capital Budget Code Accounts; Replacement of Undersized Lines Serving Fire Hydrants, WD-81-08 (4-05-15-0002-81) WD-31-03 (4-05-15-0002-81-28-81-05), WD-80-02 (4-05-15-0001-80).

Also,

No. 3030 Communication from Richard M. Cosentino, Director, Department of Water, requesting

permission for Messrs. States and Kuchta to attend symposium on Environmental Epidemiology, University of Pittsburgh, April 27-29, 1981, at a cost not to exceed \$100.00, payable from Code Account No. 1701, Miscellaneous Services, Department of Water.

Also,

No. 3031 Petition from ACORN requesting a public hearing before City Council on the allocation of funds for the McKinley Park Picnic Shelter in Beltzhoover.

Which were severally read and referred to the Committee on Water.

#### **Mrs. Masloff presented**

No. 3032 Resolution providing for an Agreement or Agreements with various Contractors for visual and performing Art Services in connection with the 1981 Recreation Program, and providing for the payment of the costs thereof, not to exceed \$3,500.00, Code Account 1838.

Also,

No. 3033 Resolution providing for an agreement(s) with the Carnegie-Mellon University for the services of the group named Metro Theatre, through the College of Fine Arts, Drama Department, for the furnishing of cultural performances to the residents of the City of Pittsburgh during the year 1981, and providing for the payment not to exceed \$23,500.00, chargeable to and payable from Code Account 1838, Recreational Activities, Miscellaneous Services.

Also,

No. 3034 Communication from

Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$17,000.00 for acoustical panels in connection with the Symphony Summer Stage.

Which were read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 3035 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for Captain Thomas W. Hitchings to attend Interagency Committee on Arson meeting, Harrisburg, PA, April 16, 1981, at a cost not to exceed \$250.00, payable from Code Account No. 1463-1, Educational and Traveling Expense, Department of Fire.

Which was read and referred to the Committee on Public Safety.

#### **Mr. Robinson presented**

No. 3036 Resolution providing for the issuance of a Certificate of Appropriateness for work on exterior of 430 & 436 Market Street, Block & Lot 1-D-165, Market Square Historic District in the 2nd Ward.

Which was read and referred to the Committee on Planning, Housing & Development.

#### **Mr. Stone presented**

No. 3038 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$8,982.20 to the Commonwealth of Pennsylvania representing final payment required for



unclaimed funds for the year 1972 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74.

Also,

No. 3039 Resolution providing for the issuance of a \$4,120.00 warrant in favor of Ruth & Donna Ostojic and Linda Pierce in settlement of claim for property damage by a Department of Public Works vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 3040 Resolution providing for the issuance of a \$839.88 warrant in favor of Pennsylvania National Insurance Group & Scott A. Smith for auto damage by a Department of Police vehicle and charging same to Code Account No. 46, Judgments.

Also,

No. 3041 Resolution providing for the issuance of a \$1,895.00 warrant in favor of Ronald Zilner for automobile damage by a Department of Public Works vehicle charging same to Code Account No. 46, Judgments.

Also,

No. 3042 Resolution providing for agreements with various agencies listed herein for implementation of Summer Youth Employment Program at aggregate cost not to exceed \$2,700,000 payable from CETA Title III Trust Fund, federal funds.

Also,

No. 3043 Resolution repealing Resolution No. 15, approved February 13, 1981, effective February 24, 1981,

entitled, "Providing for an Agreement with File System Specialists Consultants for professional services the implementation of a new Numer Color Code Filing System designed from computer processed tax account information in connection with Employ Withholding Earned Income and Occupation Tax Accounts and Registered Business Tax Accounts; and providing for the payment of the cost thereof."

Also,

No. 3037 Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$1,204.93 to the Commonwealth of Pennsylvania representing the initial payment required for unclaimed funds for the year 1972 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1981, P.L. 74.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 3044

Report of the Committee on Finance for April 15, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2924

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thomas DiDiano, General Contractor, in the amount of \$6,623.60

Ralph Plumbing & Heating in the amount of \$5,126.80; and Solari Electric in the amount of \$810.00 totalling in the aggregate \$12,560.40 in payment for extra work in connection with the construction of Sheraden Branch Library/Community Building and providing for the payment thereof."

Which was read.

Also,

Bill No. 2939

Resolution entitled, "Resolution amending Resolution No. 192, effective March 6, 1981 entitled: 'Authorizing the issuance of a warrant in favor of W. G. Tomko & Son, Incorporated, in the amount of \$4,191.02, in payment for work performed at Schenley Park Skating Rink, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 2973

Resolution entitled, "Resolution providing for the deposit to proper Department of Law Code Accounts of funds received pursuant to cable television Franchise Agreement, as reimbursement for costs expended in connection with cable television litigation."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### Mr. Givens presented

Bill No. 3045

Report of the Committee on Public Works for April 15, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative

recommendation,

Bill No. 2929

Resolution entitled, "Resolution granting unto Robert Morris College, 610 Fifth Avenue, Pittsburgh, Pennsylvania 15219, its successors or assigns, the privilege and license to construct, maintain and use, at its own cost and expense a canopy to be erected over an entrance to its building at the corner of Fifth Avenue and Sixth Avenue, to project over the thirty-foot (30') radius at that intersection having a set-back of 18" from the new curb line." (AS AMENDED IN COMMITTEE).

Which was read.

Also,

Bill No. 2930

Resolution entitled, "Resolution further amending Resolution No. 811, approved August 19, 1980, effective August 25, 1980, as amended by Resolution No. 1376, approved December 30, 1980, effective December 31, 1980, entitled, 'Providing for an Agreement or Agreements with an Engineering Consultant for Professional Engineering Services in connection with Steuben Street sidewalk and retaining wall (PW 80-30); and providing for the payment of the cost thereof', by authorizing a Supplemental Agreement for Engineering Services and by increasing the total allocation by Eighteen Thousand Five Hundred (\$18,500.00) Dollars."

Which was read.

Also,

Bill No. 2931

Resolution entitled, "Resolution amending Resolution No. 1555, effective

December 31, 1978, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the inspection and design of McArdle Roadway (PW 78-30 and (PW 76-39); and providing for the payment of costs thereof; and providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation', by authorizing a Supplemental Agreement and increasing the total project allocation to Forty-Six Thousand (\$46,000.00) Dollars.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of the Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

Bill No. 3046

Report of the Committee on Planning, Housing & Development for April 1981, transmitting sundry resolutions to the Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2656

Resolution entitled, "Resolution approving the amended proposal dated February, 1981, for redevelopment activities in Redevelopment Area No. 40 - Greater Hazelwood, located in the Fifteenth Ward of the City of Pittsburgh; approving Modification No. 1 to the Redevelopment Area Plan and making certain findings related thereto."

Which was read.

Also,

Bill No. 2894

Resolution entitled, "Resolution amending Resolution 1156, approved November 14, 1980, entitled, 'Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the rehabilitation and management of the Conrail Produce Terminal in the 2nd Ward, City of Pittsburgh', by providing \$1.8 Million for renovation."

Which was read.

Also,

Bill No. 2958

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Cole, Montgomery & Rust, Inc., for the sale of Parcel 3 in the Seventh Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2959

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Everett J. Metz and Dorothy L. Davis for the sale of Block 9M, Lot 97 in the Third Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2960

Resolution entitled, "Resolution approving a form of contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and George M. Angell, Jr., and Denise D. Angell for the sale of Parcels 47 and 138 in the Thirteenth Ward of the City of Pittsburgh in Redevelopment Area No. 19."

Which was read.

Bill No. 2961

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert G. McFadden for the sale of Parcel 164 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 2962

Resolution entitled, "Resolution approving a form of Contract for

Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Medonto for the sale of Parcel B-30b in the Eleventh Ward of the City of Pittsburgh in Redevelopment Area No. 10."

Which was read.

Also,

Bill No. 2967

Resolution entitled, "Resolution further amending Exhibit 1 of Resolution No. 1229, effective January 1, 1980, entitled, 'Resolution adopting the 1980 Capital Budget; allocating and setting aside funds in connection therewith', by redefining the description of Project DCD-80-03."

Which was read.

Also,

Bill No. 2968

Resolution entitled, "Resolution amending Resolution No. 626, approved July 10, 1980, entitled, 'Amending Resolution 463 approved May 29, 1980, entitled, 'A Resolution providing for a Cooperation Agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the implementation of Community Development Block Grant Programs in the 1980 Capital Budget and providing for the cost thereof', by increasing the amount of the agreement', by eliminating one line item to create another."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of the Council being in the affirmative, the bills passed finally.

**Mr. Givens for Michelle Madigan presented**

Bill No. 3047

Report of the Committee on Water and Sewers, April 15, 1981 transmitting a resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2938

Resolution entitled, "Resolution providing for the letting of a contract for the furnishing and delivery of an underground packaged booster pumping station for installation in South Pacific Avenue, including other work incidental thereto, for the Department of Water, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 3048

Report of the Committee on Parks and Recreation for April 15, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2940

Resolution entitled, "Resolution providing for an agreement or agreements with the Pennsylvania Fish Commission for the development of a boating and fishing access to the Monongahela River in the Southside Riverfront Park Development Project; approving the Fishing and Boating Access Project; and providing for required assurances."

Which was read.

Also,

Bill No. 2941

Resolution entitled, "Resolution providing for an Agreement or Agreement with the Western Pennsylvania Conservancy for the development of new community gardens on City-owned property; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2942

Resolution entitled, "Resolution providing for an Agreement or Agreements with Duquesne Light Company and the Board of Public Education for a right-of-way across land leased by the City from the Board of Public Education. The purpose of the right-of-way shall be for installing, using, maintaining, renewing, and finally removing an electric line, poles, etc., across land fronting on Ovid Street in the 28th Ward."

Which was read.

Also,

Bill No. 2943

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Neighborhood Centers Association located at 1439 North Franklin Street and the Urban Redevelopment Authority so as to rehabilitate a Neighborhood Centers Association-owned structure located at 2 Heines Way, 21st Ward, for use as a Boy's Club facility. Carnegie-Mellon students will be used as volunteer architects and construction workers."

Which was read.

Also,

Bill No. 2944

Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with the installation of lighting for the 1981 Spring Flower Show at Phipps Conservatory; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 2945

Resolution entitled, "Resolution amending Resolution No. 1414, effective December 19, 1978, entitled: 'Providing for an Agreement or Agreements with architects, engineers, landscape architects, or surveyors for professional services in connection with the design of the Arlington Heights Ballfield in the Department of Parks and Recreation and providing for the payment of the cost thereof,' by decreasing the authorization to the actual amount expended."

Which was read.

Also,

Bill No. 2946

Resolution entitled, "Resolution further amending Resolution No. 249, effective April 11, 1980, as amended by Resolution No. 920, effective September 26, 1980, entitled, 'Resolution providing for an Agreement or Agreements with the Hill Top United Methodist Church for the design and renovation of the Allentown Senior Citizen Center portion of the church and providing for the payment of the cost thereof' by increasing the authorization."

Which was read.

Also,

Bill No. 2947

Resolution entitled, "Resolution further amending Resolution No. 59, effective February 10, 1976, as amended by Resolution No. 50, effective January 2, 1977, entitled, 'Providing for a lease or leases for use of certain property for senior citizen centers' by decreasing the authorization to the actual amount expended."

Which was read.

Also,

Bill No. 2948

Resolution entitled, "Resolution amending Ordinance No. 546, effective September 25, 1975 entitled, 'Providing for a lease or leases for use of certain property for senior citizen centers', by decreasing the authorization to the actual amount expended."

Which was read.

**Michelle Madoff:**

I'm going to abstain because wasn't here.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken and agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Robinson

Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Mr. O'Malley presented

Bill No. 3049

Report of the Committee on Public Safety for April 15, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2951

Resolution entitled, "Resolution providing for an Agreement or Agreements with Trumbull Corporation for reimbursement for the provision of police in connection with the reconstruction of the Parkway East."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. O'Malley

Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### Mr. Flaherty presented

Bill No. 3050

Report of the Committee on Lands and Buildings for April 15, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2874

Resolution entitled, "Resolution repealing Resolution No. 111, effective February 17, 1981, entitled, 'Providing for a contract or contracts or the use of existing contracts in connection with City-County Building Renovation of the Fifth Floor and providing for the cost thereof'."

Which was read.

Also,

Bill No. 2925

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.



**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Mr. Givens:**

Mr. Perry, on the Municipal Record of the City of Pittsburgh dated Monday, April 13, 1981, on page 380, there is a yes and no vote on that page, I would like to have that researched, I think they have it reversed, possibly, I'm not sure.

**Michelle Madoff presented**

No. 3051 WHEREAS, Ordinance No. 7 approved by the Mayor on March 8, 1979 authorizes the Director of the Department of Lands and Buildings to prepare a book containing a list of City-owned properties which are released for sale in each Ward; and

WHEREAS, the provisions set forth in this Ordinance have not been carried out; and

WHEREAS, the City presently does not have a Director of the Department of Lands and Buildings, which may greatly hinder the implementation of Ordinance No. 7.

NOW, THEREFORE,

BE IT RESOLVED, that the members of the Council of the City of Pittsburgh hereby urge the Mayor appoint a Director of the Department of Lands and Buildings to take the necessary steps for immediate implementation of Ordinance No. 7 1979.

**Michelle Madoff:**

Mr. President, a correction, should read "books" not book, there are several books, it is broken down into several wards, it is "books"; numbers of books, which will be paid for by all the real estate people buying them.

**Mr. O'Malley:**

I think what everybody is saying Michelle is that most of us are agreeing with the first part of the resolution.

**Michelle Madoff:**

Why don't we do it in two parts?

**Mr. O'Malley:**

I'm not in agreement with the second part of the resolution because I don't think it is up to myself or the Council to tell the Mayor when or who to hire.

**Michelle Madoff:**

Well, I think if we let it go much longer the tax base at the end of the year when you have to vote on the money, you'll say, "Why didn't

generate some money from the sale of City owned properties", so that you do have an involvement.

**Mr. O'Malley:**

We are all in agreement with I think, the first part of the resolution, not the second part.

**Michelle Madoff:**

Well I don't know that we are not all in agreement, I think that all of us would urge the Mayor to quickly appoint somebody, Harold West has been gone how long?

**The Chair:**

That is his prerogative, I don't want to get into that.

**Michelle Madoff:**

Well, it may be his prerogative but we can certainly ask him -- how often have we urged him to fill a position that is vacant on an authority or a board.

**The Chair:**

He has to be careful that he gets the right person I guess.

**Mr. Stone:**

If I may for a minute Mr. President, I think the point Mr. O'Malley is making is an accurate one. If it will help the cause any, if it stays in the present form I will not vote for it. There are two different subjects at one time and if we are going to talk about getting a list up to date, as he has indicated, then I might agree that that list is outdated and it ought to be updated. But, what you are doing in here, in saying because there is no director, therefore the list is up, I'm not so sure that is an

accurate statement at this point.

**Michelle Madoff:**

Mr. President, I would be happy to delete, in -- we would leave "BE IT RESOLVED that the Mayor" -- we leave in, "BE IT RESOLVED that the Mayor take necessary steps for immediate implementation of Ordinance No. 7 of 1979", that passed this Council seven to two, or six to three, I'm not quite sure, I think it was seven to two. Just take the rest out. It was passed by Council, it was never implemented.

**The Chair:**

You are omitting the last paragraph?

**Michelle Madoff:**

I would just omit that --

**The Chair:**

The appointment of a director.

**Michelle Madoff:**

The appointment, just take the appointment out -- essentially just take the issue of the appointment out and we can individually deal with that, but we passed an ordinance two years ago, nothing has happened with it, and every year we hit taxes, there are twenty thousand pieces of property, we don't know where they are, when I had spoken to Mr. West in previous times, one time he would tell me there are three thousand buildable lots, then he'd tell me twelve, then he'd tell me eight, nobody knows. Properties -- as he would say to me, not too long ago, that we thought we couldn't build on Mt. Washington, look what we are building now. I bought a lot that was an upside down lot -- you know, a hillside, we built a house that I thought

was going to sell for \$80,000 with the builder, it sold for \$165,000. There are lots of properties that are good, there is a lot of schluck out there, we want to get the good stuff, get it listed and get some money generated. The faucet has been shut off in Washington in case anybody hasn't heard that.

**The Chair:**

You heard the amendment in regard to dropping the section about appointing a Director to the Department of Lands and Buildings, do I have a second to the amendment?

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Michelle Madoff** moved for approval, as amended.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President, I have a comment, I think it is implicit in the resolution that the Director of that Department carry out this task, as Council is well aware there is no director in that Department. I think Council is well within its right to request that the Mayor hire someone to fill that position. It was budgeted for the full year, it is obviously an intricate part of what we are doing in City government and I think that perhaps we should request that the Mayor try to move speedily to fill that spot.

**The Chair:**

I think the problem there, and I have to agree with Michelle Madoff, that it is a rather technical one, there are very few people in the City of Pittsburgh

who really know Lands and Buildings and know real estate and I think what he is trying to do is get the right person as the proper person for the position, would think so. I would hate to see him jump in and just put anybody in there because of politics or what have you and I think his decision to try to get the best is a sound one.

**Mr. Robinson:**

Then Mr. President, I would make a motion that the Mayor appoint a Director of Lands and Buildings at the earliest possible time.

**Mr. Stone** seconded the motion.

**Michelle Madoff:**

I think that was the intent of the resolution and I would certainly support that. Mr. President, as you will recall on many occasions, I think in Public Works, when we did not have a director appointed for some six months — am I correct Mr. Stone? And Mr. Stone was urging the appointment of the present acting Director, nobody took exception to anyone saying, "Why doesn't the Mayor do that?". Suddenly when I make a recommendation it is not the thing to do but when others do it it is fine. I just want that on the record.

**Mr. Stone:**

Well, if you are going to put something on the record the record ought to be accurate. When you try to put apples and oranges in the same bush and you call it all apples it is not all apples.

**Michelle Madoff:**

I will go back to the minutes and will take your exact quote out of the minutes and give them back to you so

you can see what you said and your pearls of wisdom.

**Mr. Stone:**

That's true.

**Michelle Madoff:**

You were absolutely right and I was with you and I am doing exactly the same thing but you see it differently.

**Mr. Stone:**

I'm sure the words then were pearls of wisdom but I think what it lacks today is little pearls of wisdom. When you are putting two things together and having them say something contrary to what --

**Michelle Madoff:**

We are both saying, we both said get a department head. You said it and now I'm saying it and Bill Robinson has said it. When Bill said it you didn't jump on him, when I said it you did. Okay, we understand where you are coming from.

**Mr. Stone:**

No, that is not true.

**Michelle Madoff:**

When you are a male chauvinist --

**Mr. Stone:**

And let me explain it for you if it will help you any. When you say that because there is no director this is there, therefore we should appoint a director it is two different points.

**Michelle Madoff:**

Well how's it going to happen if somebody isn't there to do it. Are you planning to take some time off and come

in here and do it?

**Mr. Stone:**

Well I'm not so sure that we have proven that part yet and that is the reason I take exception, and once we have broke it up and it became logical then I voted for it.

**Michelle Madoff:**

I would have no problem with Mr. Evers as Acting Director doing the job, let somebody do it.

**Mr. Stone:**

That is my exact point, you finally caught on.

**Michelle Madoff:**

Well why not make Mr. Evers Director, you said that when Mr. Lou Gaetano was the Acting Director, you thought he should be Director, we voiced opinions before why can't we voice an opinion now? Let's make Mr. Evers a Director, I wouldn't mind that.

**The Chair:**

Roll call vote please.

**Mrs. Masloff:**

What are we voting on?

**The Chair:**

Mr. Robinson suggested a resolution that the Mayor appoint, as soon as possible, a Director for Lands and Buildings.

**Mr. Stone:**

Mr. President, in fairness, I think what you said is accurate, and when I

spoke to the Mayor about this very situation he had indicated that he was finding some difficulty in finding someone who was very knowledgeable in this department and he would tend to that as early as possible, that is why I seconded the motion.

**Michelle Madoff:**

And for the record, may I say that I spoke to the Mayor almost a year before Mr. West left and six months before Mr. West left and they were out looking. Put that in the record.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 7                      NOES 1  
(MR. O'MALLEY VOTING NO)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Robinson presented**

No. 3052      WHEREAS, Keep America Beautiful, Incorporated, a national non-profit, non-partisan public service organization working with Citizens Groups, Government Agencies, Private Industry and Academic

Institutions to stimulate individual involvement in Environmental Improvement has established April 25, 1981 as "Keep America Beautiful Day" and

WHEREAS, Pennsylvania Governor Richard Thornburg has designated April 25, 1981 as "Keep Pennsylvania Beautiful Day"; and

WHEREAS, numerous cities, counties and states will also be designating April 25, 1981, as a day to recognize the vital work to improve the environmental quality of life in these communities; and

WHEREAS, numerous communities have joined together in the Keep America Beautiful Incorporation's Clean Community System; and

WHEREAS, individual Pittsburghers and organizations such as the Pittsburgh Blind Association will be involved in "Keeping Pittsburgh Beautiful" on April 25, 1981 through specific projects.

**NOW, THEREFORE**

BE IT RESOLVED that the Pittsburgh City Council on behalf of the citizens of the City of Pittsburgh designate Saturday April 25, 1981 as "Keep Pittsburgh Beautiful Day" and encourages individuals, civic organizations, businesses and professionals to work together in a systematic fashion to continue to "Keep Pittsburgh Beautiful".

Which was read.

**The Chair:**

Well, like motherhood and the Pittsburgh Steelers I think we are all in favor of that resolution Mr. Robinson will you make a motion to approve?

**Michelle Madoff:**

I'm not so sure we're all in favor of it Mr. President.

**The Chair:**

I want to keep America beautiful but I know the Keep America Beautiful group, I've worked with them for ten years and I think this is a lot of language.

**Mr. Givens:**

All you have to do Mr. President is just bend over, it keeps it very beautiful.

**The Chair:**

Wait a while Dick. Explain that. Try that again.

**Michelle Madoff:**

What were you planning to do with him when he bent over?

**Mr. Givens:**

Excuse me, bend over and pick up a piece of paper.

**The Chair:**

I'll see you later, I'm not touching that one. Mr. Robinson, may I have a motion to approve? I didn't know we were going to run into opposition on this one.

**Mr. Robinson** moved for approval.

**Mr. Stone** seconded the motion.

**Michelle Madoff:**

I'm going to vote no because we've had about 15 of these bills and nothing happens. Until the leadership of this City shows by example that we keep the

City clean, the City-County Building clean, the front of the building clean, the streets clean and have people out cleaning those streets and tagging those cars and towing them out of the way to show we really mean what we are saying and not just have a lot of verbiage, I vote no.

**The Chair:**

I knew secretly you were a litterbug.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES 1  
(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**The Chair:**

Thank you Mr. Robinson, history has been made today.

**Mr. Robinson** moved to approve the minutes of Monday, April 13, 1981.

**Mr. Stone** seconded the motion.

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, APRIL 27, 1981

No. 17

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAY... Ass't City Clerk

Pittsburgh, PA  
Monday, April 27, 1981

#### PRESENT:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-tempore)

ABSENT: Mr. DePasquale  
Mr. Robinson

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 3053 Resolution authorizing a

warrant in favor of Lawrence J. O'Toole, Attorney at Law, in the amount of \$537.50 for professional services rendered to Council without previous authority of law, chargeable to and payable from Code Account No. 1001-2, Services, Salaries of Council.

Also,

No. 3054 Resolution providing for the issuance of a warrant in favor of R. C. Firsching Associates in the amounts of \$1,185.00, \$315.00, \$1,719.00, \$2,060.00 and \$465.00, totalling in the aggregate \$5,744.00 in payment for engineering services in connection with design, investigation, study, and recommendations on HVAC systems at various locations and providing for the payment thereof.

Also,

No. 3055 Resolution providing for the issuance of a warrant in favor of Damianos and Associates in the amounts of \$1,891.72 and \$860.73 totalling in the aggregate \$2,752.45 in payment for architectural/engineering services performed at the North Side Library/Theatre and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3056 Resolution providing for an Agreement(s) from time to time with various consultants including, but not limited to Construction, Mechanical,

Electrical and Geo-Technical, in connectino with Renovations to Various Public Buildings, and providing for the payment of the costs thereof at a cost not to exceed \$20,000.00.

Also,

No. 3057 Resolution further amending Resolution No. 282 effective April 18, 1980, as amended by Resolution No. 446, effective May 27, 1980, entitled, "Resolution providing for a contract(s) in connection with construction for the replacement of No. 22 Engine Company, Arlington Avenue and providing for the payment of the costs thereof," by reducing the total cost not to exceed \$642,220.00.

Which were read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 3058 Resolution further amending Resolution No. 575, approved 7/27/76, as amended by Resolution No. 592, effective 7/2/79, entitled, "Providing for a Contract(s) for the improvements to the intersection of Forward/Murray/Pocusset Street & related waterline improvements providing for the payment of costs thereof, providing for a Reimbursement Agreement(s) with Commonwealth of Pennsylvania, Department of Transportation", by increasing the total project allocation by \$37,000.00.

Also,

No. 3059 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$5,500.00 for Extra Work in connection with reconstruction of intersection of Forward/Murray Avenues and Pocusset

Street, to be paid from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Which were read and referred to the Committee on Public Works.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 3060 Resolution amending Resolution No. 194, effective March 31, 1980, entitled, "Providing for the furnishing and delivery of various City vehicles for the City of Pittsburgh, and for the payment thereof," by also providing for the use of existing contracts to secure delivery and authorize payment for vehicles.

Which was read and referred to the Committee on Supplies.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 3061 Resolution providing for the issuance of a warrant in favor of Mosites Construction Company in the amount of \$3,520.00, in payment for



"Extra Work" furnished for the benefit of the City in connection with the rehabilitation of the Larimer Avenue Bridge; and providing for the payment of the cost thereof.

Also,

No. 3062 Resolution providing for the issuance of a warrant in favor of Sculli Brothers, Inc., in the amount of \$239.55 in payment for "Additional Work" furnished for the benefit of the City in connection with the construction and/or reconstruction of catch basins at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof.

Also,

No. 3063 Resolution providing for the issuance of a warrant in favor of Mosites Construction Company in the amount of \$4,692.69 in payment for Extra Work in connection with the rehabilitation of the Stanwix Street Bridge.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3064 Resolution amending Resolution No. 310, approved March 26, 1981, effective April 3, 1981, entitled, "Providing for a contract or contracts for the construction and reconstruction of various Mt. Washington intersections and improvements at various locations, and other work incidental thereto; and providing for the payment of the cost thereof," by redefining the funding source.

Also,

No. 3065 Resolution further amending Resolution no. 812, approved

8/19/80, as amended by Resolution No. 326, approved 4/10/81 entitled, "Providing for an Agreement(s) with a Consultant(s) for a Consultant Service in connection with the surveying of Boundary Street and providing for the payment of the cost thereof", by redefining the funding sources.

Also,

No. 3066 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$5,362.39 for additional work in connection with construction of catch basins at various locations to be payable from PW 81-29, Sewer Repairs.

Which were severally read and referred to the Committee on Public Works.

#### **Mrs. Masloff presented**

3067 Resolution authorizing the issuance of a warrant in favor of Westinghouse Electric Corporation, Elevator Division, in the amount of \$659.20 in payment for work performed at Frick Park Nature Center furnished for the benefit of the City without previous authority of law and providing for the payment thereof (\$659.20-FPNCTF).

Also,

No. 3068 Resolution authorizing the issuance of a warrant in favor of the West Penn Fleet, Inc/Dollar Rent-A-Car, in the amount of \$1,340.00 in payment for the rental of vehicles for the Engineering Division of the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof (\$1,340.00 from PR 81-26).

Also,

No. 3069 Resolution authorizing the issuance of a warrant in favor of Dardanell Enterprises, Inc.(Gateway Press Division), in the amount of \$1,477.50 in payment for the printing of Senior Citizens Newsletters, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 3070 Resolution authorizing the issuance of a warrant in favor of Meyers, Plumbing and Heating Company in the amount of \$1,621.40, in payment for the purchase of plumbing for emergency repairs at various locations furnished for the benefit of the City without previous authority of law and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3071 Resolution repealing Resolution No. 248, effective March 23, 1981, entitled, "Providing for the letting of a contract(s) or the use of existing contracts for the purchase or rental of equipment or services, or construction, or agreements for same in connection with performances at Point State Park..." (\$80,000.00 from PR81-03).

Also,

No. 3072 Resolution repealing Resolution No. 262, effective March 23, 1981, entitled, "Authorizing a Sixth Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for the updating of financial arrangements.

Also,

No. 3073 Resolution further amending Resolution No. 987, effective August 31, 1978, as amended by Resolution No. 1271, effective November 6, 1978, entitled, "Providing for a contract or contracts or the use of existing contracts for the construction of a gym and multi-purpose addition to the Henry Kaufmann Neighborhood House, by decreasing the authorized amount from \$580,000.00 to \$574,045.31, the actual amount expended.

Also,

No. 3074 Resolution amending Resolution No. 94, effective February 28, 1980, entitled: "Authorizing a Fifth Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for the updating of financial arrangements" by increasing the authorization from \$95,000.00 to \$99,240.29 (\$95,000.00 - 78 CDULO, \$4,240.29 - CDPR).

Also,

No. 3075 Resolution amending Exhibit I of Resolution No. 1430, effective January 1, 1981, entitled, "Resolution adopting the 1981 Capital Budget...", by increasing the funds for Project No. PR81-03, deleting the funds for Project No. PR 81-07; decreasing funds for Project No. PR 81-07; decreasing funds for Project No. PR 81-36.

Also,

No. 3076 Resolution providing for an agreement(s) with Allegheny County Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by the Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program, providing for

the payment of the City's share of the cost; and providing for the deposit of funds.

Also,

No. 3077 Resolution providing for an agreement(s) with United Mental Health, Inc., to provide in-service training and in-service training programs for the Department of Parks and Recreation staff and providing for the payment of the costs thereof which shall not exceed \$20,900 chargeable to and payable from Code Account 1081, Miscellaneous Services.

Also,

No. 3078 Resolution providing for the letting of a contract(s) for the construction of the restroom building at Quarry Field; and providing for the payment of the cost thereof (\$70,000.00 from PR80-28, '80 CDPR).

Also,

No. 3079 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$10,000.00 for purchase of rare birds for Pittsburgh Aviary to be payable from Aviary Trust Fund.

Also,

No. 3080 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$37,000.00 for additional structural work in connection with Symphony Summer Stage.

Also,

No. 3081 Communication from Louise R. Brown, Director, Department

of Parks and Recreation, requesting interim approval of payment of \$20,000.00 for recreation equipment purchases for Northview Heights, St. Clair and Glen Hazel Recreation Centers.

Also,

No. 3082 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission to attend National Committee for Urban Recreation Meeting, May 28, 1981, Washington, DC, at a cost not to exceed \$205.00 payable from Code Account No. 1801, Miscellaneous Services, Administration, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 3083 Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, in the amount of \$525.00, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police, in payment for transcription done by a stenographic reporter for the Trial Boards of Police Officers Carl J. Allen, Jr. and Joseph E. Benz.

Also,

No. 3084 Resolution transferring the sum of \$40,000 from Emergency Ambulance Service Trust Fund \$15,000 from Code Account 1423, Equipment, Medical Services, as follows: \$55,000 to the "EMS Equipment Project Trust Fund".

#### **Mr. Robinson presented**

No. 3085 Resolution authorizing the Mayor and the Director of Housing to enter into an agreement(s) in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for City-wide housing counseling and housing information services to the City in carrying out its Community Development Program, and providing for the payment of the cost thereof not to exceed \$270,000.00, chargeable to and payable from the 1981 Community Development Block Grant Funds, Code Account HD-81-10, Project No. 4-15-10-0002-81-7-81-15.

Also,

No. 3086 Resolution providing for a Cooperation Agreement(s) with the Housing Authority of the City of Pittsburgh at a cost not to exceed \$3,000,000.00, chargeable to and payable from the 1981 Community Development Block Grant Program Trust Fund, Department of Housing, HD-81-06 (4-15-03-0003-81-4-81-15); Local Share of Improvements in HACP Communities; Support of Modernization, Conversion and Demolition as Identified by the Needs Study.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. O'Malley for Mr. Stone presented**

No. 3087 Resolution providing for the issuance of a warrant in favor of Data Terminal Leasing Company in the amount of \$2,606.32 for the rental of Data Processing Terminals in connection with the operation of an automated accounting and reporting system for Capital Funds and Community Development Funds.

Also,

No. 3088 Resolution transferring the sum of \$1,090,366.51 from Code Account 4-01, Department of Public Works - \$1,028,965.87, Code Account 4-05, Department of Water - \$37,967.41 and Code Account 4-25, Department of Lands and Buildings - \$23,433.23, to the Department of Parks and Recreation.

Also,

No. 3089 Resolution temporarily transferring the sum of One Hundred Fifty-seven (\$157,000.00) dollars from Unrestricted Cash, Department of Public Works, to Unrestricted Cash, Department of City Treasurer upon receipt of the proceeds of the financing of any currently unfunded portion of the Capital Budget.

Also,

No. 3090 Resolution further amending Resolution No. 1589 of 1978, as amended by Resolution No. 1121 of 1979, Capital Budget, by providing for an additional appropriation of \$157,000 for Project No. 4-70-25-0010-79 (CT-79-01) Capital and Community Development Accounting Expenses, Department of City Treasurer.

Also,

No. 3091 Resolution authorizing an Agreement(s) with a Data Processing Service Bureau in connection with the operation of an automated Accounting and Reporting System for Capital Funds and Community Development Funds at a cost not to exceed \$310,000.00.

Also,

No. 3092 Resolution providing for an Agreement(s) with Warner Cable Corporation of Pittsburgh to provide selection testing services and classroom training for 15 CETA participants for the

position of Cable TV Service Technician and providing for the payment of the costs thereof, at a cost not to exceed \$76,670.00.

Which were severally read and referred to the Committee on Finance.

### UNFINISHED BUSINESS

**Michelle Madoff:**

In regard to No. 3078 introduced today, that isn't a bathroom, it is a building.

**Mr. Perry:**

Okay, its in the letter Michelle.

**Mr. Stone:**

That's replacing a bathroom and a residence that used to be there.

**Michelle Madoff:**

I know but when it was read, somebody listening might say \$70,000 for a bathroom.

**Mr. Stone:**

That's a line I'm not going to touch.

**Michelle Madoff:**

They still think we have two and they are co-ed.

### REPORTS OF COMMITTEES

**Mr. O'Malley for Mr. Stone presented**

Bill No. 3093

Report of the Committee on Finance for April 21, 1981 transmitting sundry

resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 2982

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Casimir Pellegrini and Associates in an amount not to exceed \$1,500.00, in payment for extra work to be performed in connection with the new #10 Fire Station, West End, and providing for the payment thereof."

Which was read.

Also,

Bill No. 2988

Resolution entitled, "Resolution amending Resolution No. 1186, approved December 31, 1979, effective December 31, 1979, entitled, 'Providing for the issuance of a warrant in favor of Dick Enterprises, Inc., in the amount of One Hundred Fifty Thousand Sixty One Dollars and Fifty Nine Cents (\$150,061.59), in payment for Emergency Work in connection with the Royal Street earth mass movement, furnished for the benefit of the City without previous authority of law and providing for the payment thereof, by decreasing the total allocation to One Hundred Forty Six Thousand Twenty-Nine Dollars and Sixty One Cents (\$146,029.61)."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

On Bill No. 2988, I want my comments from Wednesday included in the minutes, I want to be sure we're reimbursed in that lawsuit and that we go after it.

**MICHELLE MADOFF'S COMMENTS ON BILL NO. 2988 FROM THE MEETING OF WEDNESDAY, APRIL 22, 1981:**

**Michelle Madoff:**

Is anybody here from the Law Department or Public Works? When do we get reimbursed on that? Did we determine liability on that?

The first figure was \$400,000. By telephone bids we were able to bring it down within two days. We should never have had that episode where we paid \$246,000 at the police station.

**END - MICHELLE MADOFF'S REMARKS ON BILL NO. 2988, 4/22/81.**

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-tempore)

AYES 6                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

**Bill No. 2989**

Resolution entitled, "Resolution accepting the dedication of London Towne Drive as shown and dedicated on the London Towne Revised Plan of Lots in the Nineteenth Ward of the City of Pittsburgh, by Concept Realty Enterprises, Incorporated, for public highway purposes, opening and naming same, fixing the width the position of the roadway and sidewalks, establishing the grading, and accepting the grading, paving and sewerage thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-tempore)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

**Bill No. 2992**

Resolution entitled, "Resolution amending Resolution No. 190, approved February 26, 1981, entitled, 'Providing

for the issuance of a warrant in favor of Sciulli Brothers, Inc., 3718 Dawson Street, Pittsburgh, PA 15213, in the amount of \$2,900.00 in payment for cutting and capping an existing fire hydrant branch and removal of an existing brick box casting furnished for the benefit of the City and providing for the payment thereof, by changing the source of funds."

Which was read.

Also,

Bill No. 3014

Resolution entitled, "Resolution providing for the issuance of a warrant to Elizabeth Czurko and Joseph Czurko, her husband, c/o Albert C. Odermatt, Esquire in the sum of \$6,000.00 in full settlement of a lawsuit for personal injuries and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-tempore)

AYES 6 NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bills passed finally.

Also,

Bill No. 3015

Resolution entitled, "Resolution providing for an Agreement or Agreements with Manchester Craftsmen's Guild to provide classroom training for eight (8) CETA participants and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3016

Resolution entitled, "Resolution providing for an Agreement or Agreements with Western Pennsylvania School of Health Technology to provide classroom training in health care assistance for ten (10) former Job Search (EOPP) participants and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-tempore)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 3094

Report of the Committee on Public Works for April 21, 1981, transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2990

Resolution entitled, "Resolution granting unto Mrs. Ruth A. Schneider, 1154 Southside Avenue, Pittsburgh, Pennsylvania 15212, its successors and assigns, the privilege and license to continue to use and maintain at its own cost and expense, for the duration of the present driveway (1154 Southside Avenue) encroaching on East Lane in the Twenty-Sixth (26) Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 2991

Resolution entitled, "Resolution amending Section No. 8 of Resolution No. 1194, approved November 17, 1980, effective November 21, 1980, entitled, 'Authorizing the Director of the Department of Public Works to give his approval to construct a concrete drive in Spring Way', in a portion of the street in the Second Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-tempore)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley for Mr. Robinson presented**

Bill No. 3095

Report of the Committee on Planning, Housing and Development for April 21, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2348

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 13, by changing from 'S', 'R2' and 'R3' Districts to 'R1' One-Family Residence District certain property in the Hazelwood area having frontage on Kilbourne Street; Flowers Avenue; Gidding Street; Clarion Street; Tesla Street and Kinglake Street,



15th Ward."

Which was read.

Also,

Bill No. 2963

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Liberty Center Urban Development Action Grant Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Liberty Center Urban Development Action Grant Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project, and providing for the deposit of the funds in a bank account."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill 2963, wasn't that the bill that we spend an hour on the other day? Wasn't that the big hassle?

**Mr. Stone:**

Taking money from Urban League?

**Michelle Madoff:**

No, this was the business of not being kept apprised of what is going on, department heads' lack of communication with Council and that was what Mr. Robinson was so upset about. I would like to have it noted for the record that I just spoke to the Mayor as we entered the room today and the

statement I made the other day that he is going to come up with a mechanism for meeting with members of Council and department heads in an informal manner, this will be forthcoming in the near future, so that we won't have that breakdown in communications.

**Mr. O'Malley:**

We meet with the Mayor every Monday morning.

**Michelle Madoff:**

He doesn't go to the Mayor's meeting, so I don't go to a Mayor's meeting when the Mayor isn't present and as Bill Robinson has expounded previously, we need an informal kind of setting to just throw ideas around and just talk to each other and see where we ought to be going and the Mayor has concurred with that and said he will set up that kind of a forum, we might have a lunch once a month or twice a month or a breakfast where we can just exchange ideas and worry about the problems of the City together and not have things sprung on us.

Also,

Bill No. 2964

Resolution entitled, "Resolution amending Resolution No. 526, effective May 24, 1978, authorizing the Mayor and the Coordinator of the Community Development Block Grant Program to enter into an Agreement or Agreements with the Urban League of Pittsburgh, Inc. for city-wide housing counseling and housing information services to the City, so as to decrease the amount authorized from \$160,000.00 to \$151, 895.02, Project Number 4-35-10-0002-78-7-78-35."

Which was read.

Also,

Bill No. 2965

Resolution entitled, "Resolution amending Resolution No. 494, effective May 17, 1978, providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Neighborhood Lot Beautification Project, so as to decrease the amount authorized from \$40,000.00 to \$27,777.20, Project Number 4-35-05-3072-78-53-78-35."

Which was read.

Also,

Bill No. 2966

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Western Pennsylvania Conservancy for the Community Self-Help Beautification and Community Gardening Programs on highly visible vacant lots in designated Community Development Neighborhoods for an amount not to exceed \$20,327.78."

Which was read.

Also,

Bill No. 2996

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the Washington Heights Urban Development Action Grant Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Washington Heights Urban Development Action Grant Project; providing for required assurances;

providing for the execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 2997

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Uptown Little League for the construction of an Auxiliary Recreation Facility to be located at Martin Luther King Field."

Which was read.

Also,

Bill No. 2998

Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1981 Community Development Block Grant Program, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3002

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Citizens Corporation for the sale of Parcels 197 and 200 in the Twenty-First Ward of the

City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3003

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Infill Housing Corporation for the sale of Block 22D, Lots 161 and 162 and Block 46N, Lot 201 in the Twenty-Fifth Ward and Block 45M, Lots 111, 112 and 113 in the Twenty-Sixth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3004

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Steven and Bernadette Wilson for the sale of Block 174N, Lot 304 in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3005

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Harry Gore for the sale of Block 174B, Lot 109, in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3006

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles Timothy Stoner for the sale of Parcel 84 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3007

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 96-B-252 and the portion of Block 96-B-248 known as Lots 454 and 455 in West Liberty Improvements Company's Plan called 5th Ward Bookline, recorded in Plan Book Volume 25, Pages 46 and 47 in the Recorder's Office of Allegheny County, Pennsylvania."

Which was read.

**Michelle Madoff:**

On Bill 3007, which is I believe, some properties in the 19th Ward, Mr. Robinson and myself have for sometime been greatly concerned about City-owned properties being transferred to URA and it sort of is a mechanism for taking them out of the reach of people who try to buy properties. I don't know how we are going to resolve it, we have talked about some past agendas, we get Steve George up to explain it and he is

the smoothest talker in town. I think that is a great concern to Council and I think we ought to at some point be addressing that and maybe that is an item we ought to be addressing with the Mayor. I don't want to vote against it because obviously, maybe it is a dirty lot or an empty lot, I don't know, we can't get any information, we never get enough information on those properties. Why is it going to URA? Why are they dealing with it? Why isn't it up for sale so that any one of us or anybody in the community can purchase it.

**Mr. Stone:**

That was specifically for that National Church Residence —

**Michelle Madoff:**

No that's the next one, that's 3008.

**Mr. Stone:**

I thought you — which were you referring to?

**Michelle Madoff:**

Unless they are companion bills and I'm not sure that they are.

**Mr. Stone:**

Which one are you referring to Michelle?

**Michelle Madoff:**

3007. I'm using that just as an example, this has been going on since I've been on Council, I cannot seem to get — you ask a question and you send it in the form of a letter specifically and what you get in an answer is reaffirmation of the rhetoric that we were given in Council, sort of a soft soap sales job. I just can't get information out of that

department.

**Mr. Stone:**

I think you're going to find — let me see if I'm right, hold on.

**Michelle Madoff:**

Pardon me?

**Mr. Stone:**

Wait, before I answer, let me see — yes, they are companion bills Michelle.

**Michelle Madoff:**

They are companion bills? I just pulled that one out as an example.

**Mr. Stone:**

I know what you mean.

**Michelle Madoff:**

I mean, why should some of the prize properties come out of the City, if indeed they are prize properties, because we don't have a Director of Lands and Buildings, go over to URA — I've had call after call after call as I'm sure your office has saying, "I want some information, I want to buy a piece of property, why can't I get an answer, why can't I have it?" and being told by URA, "Well, its part of our holdings, we are holding it", for what nobody knows and then three years later they sell it to some other stranger and the person who wanted it doesn't have a shot at it. I don't know how to deal with it, maybe someone else can figure out how to deal with it.

**Mr. O'Malley:**

She has a very good point there.

**Mr. Stone:**

The way you handle that is you tell everyone to send a letter certified mail to URA and they are on notice that they got it and therefore they can't bypass them without dealing with them.

**Michelle Madoff:**

You're saying if it comes to Lands and Buildings and when they come to my office or your office we tell them to send a registered letter to URA and send us a copy of what you are interested in, that makes sense.

**Mr. O'Malley:**

The second point to that is why transfer land to URA and have them sit on it?

**Mr. Stone:**

They're not -- wait, wait, wait, don't go too far outfield now, she is talking about this bill, is going right to this source.

**Michelle Madoff:**

No, I'm talking about the general --

**Mr. O'Malley:**

She is talking in the general sense.

**Mr. Stone:**

Okay, but in the general sense most of those are headed toward a project. You have to assemble land Jim.

**Mr. O'Malley:**

Well, would it be possible for this Council to put up legislation saying we don't transfer any property to URA unless we have a letter stating what that

specific property is going to be used for.

**Michelle Madoff:**

That's all I'm asking for. That is exactly what I've been asking for for two and a half years and I've asked that question in just those words.

**Mr. O'Malley:**

Mike, would you draft that legislation for me please?

**Michelle Madoff:**

Can I co-sponsor it with you?

**Mr. O'Malley:**

Sure.

**Mr. Givens:**

Well, the acquiring of most land with URA is to try to develop maybe a particular tract, and the purpose, like any developer, or any person trying to develop a particular area, until you acquire so many tracts of land or so much property in a given area, you can't really turn around and develop it.

**Mr. Stone:**

Hold on, hold on, I don't want to belabor this --

**Mr. Givens:**

URA only acquires generally that property that is in areas that are --

**Mr. Stone:**

Not really, they can assemble it in a number of ways and that is the reason they have to do it this way.

**Mr. Givens:**

That is the cheapest way to assemble property.

**Mr. O'Malley:**

Well I don't mind URA having the land, just like East Liberty, I don't want them sitting on it for three years.

**Mr. Stone:**

Well, I think we've got that. We got that.

**Michelle Madoff:**

Six extensions. Six extensions.

**Mr. Givens:**

They didn't sit on it for three years.

**Mr. Stone:**

No he's talking about a different deal now. That is the thing that I indicated to Steve that we wanted legislation from them on. That these people who are buying URA land, it will automatically cancel in a year, subject to another six months if they can prove that they have been diligent. The exact point you are talking about, I did that last Wednesday.

**Mr. O'Malley:**

Is he correct Mr. Perry? Did we write that legislation?

**Mr. Stone:**

Wednesday, we've got them doing that.

**Mr. Perry:**

Yes.

**Michelle Madoff:**

That's the one that had six extensions.

**Mr. Givens:**

Excuse me, I think that was — isn't that two different things?

**Michelle Madoff:**

No.

**Mr. Givens:**

If we give them the property, for what intention is it going to be used for?

**Mr. O'Malley:**

Well both.

**Mr. Givens:**

I'm saying to you, there are so many small parcels that are given over to the URA that there is no way --

**Mr. Stone:**

No, he doesn't want URA to sit on any piece of property and that is the thing we addressed last Wednesday which is accurate. Right now they can stay forever, what we tried to do and that changed back and forth between Steve and I, was that it would be one year and automatically end, but in fairness to that developer there may be some unusual --

**Mr. O'Malley:**

Six months.

**Mr. Stone:**

He gets it at six months so long as he has been exercising due diligence.

**Mr. Givens:**

I think we all have to appreciate in this particular time that the financing for any developer, when they try to get a package together is the nail-biting —

**Mr. Stone:**

That's exactly what we said.

**Mr. Givens:**

...and that is the result.

**Mr. Stone:**

Well it comes up for review which I think is the key.

**Michelle Madoff:**

There are two separate issues here Mr. President, one is the one you have addressed and I think you've handled it well and I think that is going to solve a big problem, so you don't have the six extensions, the other one that I've been concerned about from the day I got here and I cannot deal with URA, is they take a parcel, as Mr. Givens said, they are trying to get a package together to market it for something. But when you take an isolated package and somebody wants a third or two-thirds or a quarter of that package and then the deal doesn't fly, they have unmassed the package and it just sits there. At some point we should say, "Let's release it". We don't know to release it, we don't know what it is being held for. Its not a secret from Council, as Mr. O'Malley said, its not a private club.

**Mr. Stone:**

I'm going to do us all a favor, since Mr. Givens, Michelle Madoff and Mr. O'Malley and I spoke on this, I'm going to rule the whole four of us out of order, let's get down to the bills.

**Michelle Madoff:**

You do agree it should not be a secret and we should find out what is happening, so if we go ahead with the legislation and Mr. O'Malley and I will co-sponsor it with you, that they tell us what it is for.

**Mr. O'Malley:**

You write the legislation Michelle.

**Mr. Stone:**

Okay.

Also,

Bill No. 3008

Resolution entitled, "Resolution amending Resolution No. 1298 of 1980 by including Block 96B, Lot 252 and that portion of Block 96B, Lot 248 known as Lots 454 and 455 in West Liberty Improvement Company's Plan called Fifth Ward Brookline, Recorded in Plan Book Vol. 25, Pages 46 and 47 in the Recorder's Office of Allegheny County, Pennsylvania, in the Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and National Church Residences of Brookline, Pennsylvania, said property being located in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3009

Resolution entitled, "Resolution authorization to enter into a Cooperatin Agreement with the Urban Redevelopment Authority of Pittsburgh for the construction, by the City of

Pittsburgh, of the Aurelia Street Extension in the Seventh Ward utilizing funds provided by the Urban Redevelopment Authority, the same to be reimbursed from bond funds."

Which was read.

Also,

Bill No. 3010

Resolution entitled, "Resolution amending Resolutin No. 174, approved February 20, 1981, entitled, 'Providing for an Agreement or Agreements with the County of Allegheny for the provision of the local matching share funds reired in connection with the Economic Development Administration Revolving Loan Fund administered by Pittsburgh-Countywide Corporation; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-
	tempore)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 3096

Report of the Committee on Water for April 21, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2993

Resolution entitled, "Resolution authorizing the Director of the Department of Water to grant the application of Ametek Inc./Thermox Instruments Division, R.I.D.C. Industrial Park, O'Hara Township, Pittsburgh, PA 15238, for two private fire hydrant connections outside the City of Pittsburgh."

Which was read.

Also,

Bill No. 2994

Resolution entitled, "Resolution providing for an agreement or agreements with a consultant or consultants for professional engineering services in connection with the design of water line installations in Saline Street and Boundary Street and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken



agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-tempore)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 3097

Report of the Committee on Lands and Buildings for April 21, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2983

Resolution amending Item (G) of Resolution No. 291, approved 3-26-81, authorizing the sale of lot on Kilbourne Street, 15th Ward, B & L 56-D-part 97, to Anthony P. Mazzei, for the sum of \$400.00. Amendment is to correct the spelling of purchaser's name.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. O'Malley
Michelle Madoff	Mr. Stone
	(Pres't Pro-tempore)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 2984

Resolution amending Item A of Resolution No. 292, approved 3-26-81, authorizing the sale of vacant land in the 3rd Ward on Vine Street & Foreside, designated as Block Z-H, Lots 275 - 283, inclusive, to Paul A. Love, for the sum of \$9,750.00. Amendment is to add the name to former owners.

Which was read.

**Michelle Madoff:**

On Bill No. 2984 I abstain, that is my next door neighbor.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
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Mr. Givens  
Mrs. Masloff

Mr. Stone  
(Pres't Pro-  
tempore)

AYES 5 NOES none  
(ONE ABSTAINING, MICHELLE  
MADOFF)

And a majority of the votes of  
Council being in the affirmative, the  
bills passed finally.

Also,

Bill No. 2985

Resolution entitled, "Resolution  
providing for the filing of a petition or  
petitions for the sale of certain property  
or properties acquired at tax sale in  
accordance with Act No. 514 of 1947 as  
amended."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill  
pass finally?"

The ayes and noes were taken  
agreeably to law, and were:

Ayes:

Mr. Flaherty Mrs. Masloff  
Mr. Givens Mr. O'Malley  
Michelle Madoff Mr. Stone  
(Pres't Pro-  
tempore)

AYES 6 NOES none

And a majority of the votes of  
Council being in the affirmative, the  
bills passed finally.

## MOTIONS AND RESOLUTIONS

### Michelle Madoff:

Mr. President, I would like to call  
to the attention of this Council  
something that I think you are aware of,  
I don't know if the other members are  
aware, that on the night of the WPXI  
program at the Grand Concourse, there  
was a policeman stationed outside giving  
tickets to all of the people from out of  
town at \$25.00, being somewhat hostile  
to some people, and it had already been  
cleared by -- is it Mayer DeRoy? That  
that would be acceptable for them to  
make -- the issue was making a left hand  
turn into the Concourse coming from  
Carson Street. The sign is not visible, I  
went out and tried it myself, couldn't  
even find the sign, location you can't  
tell, the only way you could get in if you  
were not allowed to make a left hand  
turn from Carson Street would be to go  
all the way across the bridge, go  
somewhere and turn around some way  
which is not reasonable. The point is  
they were all given \$25.00 tickets.  
Dozens and dozens of people, and it was  
done one other night that I was there. I  
think that we need to have a sign  
corrected, Mr. Perry, by Lou Gaetano, I  
think Superintendent Coll and McNamara  
ought to be notified because I think the  
police by and far are super people --

### Mr. Stone:

Plus the magistrate Mike.

### Michelle Madoff:

And Penkower ought to know --  
that was one of the things I was getting  
to -- that when they come before him, it  
is not I hope, the wish of this Council, to  
have that kind of a bad image. We had  
Donahue and the people -- they were  
given tickets.

**Mr. Stone:**

The City of Pittsburgh does not need any traps in their traffic control.

**Michelle Madoff:**

Well, do you have any suggestions as to what we can do? Coming from Carson Street and you want to make a left.

**Mr. Stone:**

Coming from Carson to make the left, they want you to pass it and head down toward the Fort Pitt Tunnels and then turn right. It has been so usual that they come up as if they are going across Smithfield and make a left. For some reason or other they put a no left turn there and it might make sense during the busy hours but otherwise it doesn't.

**Mr. O'Malley:**

I don't follow that.

**Michelle Madoff:**

Well they have it two hours a day at rush hour, but this was — I understand that they are exercising this at odd times, just at their own discretion and I would gather, I would take an educated guess that there have been a hundred tickets given out.

**Mr. Stone:**

Mike, on behalf of this Council send them a letter that we would hope that they would exercise some good sense in —

**Michelle Madoff:**

Well, could Penkower not fine these people, can we do something about that?

**Mr. Stone:**

Yes, but as well as the Police Department. It doesn't help us to waste police.

**Mr. O'Malley:**

Send a copy of that to Mayer DeRoy and say that it is not the intention of this Council that —

**Michelle Madoff:**

Mayer DeRoy said it was fine, he said they could cross and the policemen didn't listen to Mayer DeRoy. The Manager of the Grand Concourse said, "Would you please get Mr. DeRoy on the phone for me", and he wouldn't even get him on the phone.

**Mr. O'Malley:**

The policeman?

**Michelle Madoff:**

He said, "Get out of the way or I'll have you arrested". He told some young woman the same thing.

I still have one other item. With reference to the Stadium and the keeping of the Pirates, I would like to put forth a suggestion. You know, most of the correspondence that this member of Council received and most of the media coverage, letters to the editor type of things, expounding the public sentiment, seem to be, why should we change when Galbreath when he had a contract wouldn't change, if he had a contract with somebody else, why should we pay the deficit.

Since then I've done a lot of investigating, I've talked to some accounting people, large accounting firms and they tell me that the cost to

repair the Stadium, if we could come to some amicable, half-way compromise, would be far better than allowing the Pirates to leave in what it would cost the City in revenue. That is one item. And I was wondering if whether the attendance record is a major factor in the Stadium being able to support itself in paying some of the bills. I understand in reviewing some of the early contracts that they have some legitimate complaint in that they expected to have parking facilities, other facilities built around there which would have generated more attendance, or made it easier for people to get there. I'm not going to hear the case because I'm not equipped to judge it. But I think from the public sentiment point of view, for those who are screaming — and I'm sure every member of Council has been nailed, everywhere you go, "What are you going to do about keeping the Pirates here?" Well I suggest that what we do is ask the public to make a commitment, either send a post card or make a commitment to the Pirates that they will buy season tickets next year and attend and give the support to the Pirates to encourage them to stay and to help pay for some of this.

**Mr. O'Malley:**

Who will buy season tickets?

**Mr. Masloff:**

Yes, do you want to make a bet on how many will do that?

**Michelle Madoff:**

Well I think that's what we need, we have to support — you can't say keep them if we don't support them.

**Mr. Stone:**

Any campaign to increase the attendance for the Pirates, I think is

laudable. In fact, the Pirates have realized that they couldn't sit in that shelf that they once sat in, they now have a P.R. man who is doing a little more active work along those lines, but heretofore, that was their problem, that they didn't even recognize the problem.

While we are on this particular issue, if I may, first and foremost, I said to Sherley Uhl and it didn't appear that way in the paper, but let me just correct my quote to him if I may, first and foremost I indicated that I don't know who is handling the P.R. for them relative to this particular contract, but I think if anyone has hurt negotiations more, that particular individual, or Mr. Galbreath, Jr. in the way he has handled it. First, his complaints seem to be feeble, he has indicated that access is a problem. If access is a problem for the Pittsburgh Pirates then where is the access problem relative to the Pittsburgh Steelers who seem to have no problem getting 55, 000 people in attendance.

**Michelle Madoff:**

That's a good point.

**Mr. Stone:**

Somewhere, and I don't know who the lawyer is that is recommending that the City of Pittsburgh or the Stadium Authority sue the contractor, it is now nine years and unless I have missed my guess, it is still a six year Statute of Limitations and if the City of Pittsburgh can't do it, neither can the Pittsburgh Pirates and if they are where they can't then I assume they are paying a high powered lawyer who ought to know what he is doing and they ought to be fully aware of the Statute of Limitations, that is a problem.

The thing that shocks me more was the television delivery yesterday, and I

don't know exactly --

**Michelle Madoff:**

What are you referring to, I didn't see it?

**Mr. Stone:**

Mr. Galbreath is suggesting -- he does not want a decision by any court because the decision because the decision may be adverse and the next question somewhere along the line was, what if the decision is totally anti his position. He then seemed to indicate that in that case they may have to leave. I am at a loss to understand that kind of logic, if you go to court and the court resolves it based on its logic, against you, that means that you can no longer continue. I don't see how this City of Pittsburgh can say to its citizens, "We are right in this lawsuit, totally, but we ought to pay a couple of million dollars", that bothers me slightly, and I think that if the Pittsburgh Pirates were doing less talking, then the quote which I gave, my mother has indicated, not my grandmother, that you get more with sugar than you do with salt --

**Michelle Madoff:**

It didn't rub off on you sir, you're getting better.

**Mr. Stone:**

And relative to that particular matter, I think that the Pittsburgh Pirates, rather than making what seems to be less than meritorious complaints ought to just take away the bitingness and quit making quotes that don't stand up and perhaps maybe something can happen. And let me go back and also indicate at this time, also in the quote to Shirley Uhl, the Galbreath family had been great contributors to the City of

Pittsburgh, they have been responsible contributors to the City of Pittsburgh and no way should the City of Pittsburgh ever indicate that they want the Pittsburgh Pirates or the Three Rivers Management or the Galbreath family to leave the City of Pittsburgh. This thing, had it gone to the first course, namely arbitration, I think, could have been resolved already. It is the Pittsburgh Pirates, Three Rivers Management and the Galbreath family that filed the lawsuit in the courts and not The Stadium Authority of the City of Pittsburgh.

I am also at a loss to understand how the City of New Orleans can come to the City of Pittsburgh knowing that there is a contract and even offer to pay off that contract when that is, as has been exhibited by a lawsuit that was just filed, a tortuous interference with a contractual relationship, but I think that this is what happens. It is rather unfortunate, but I would hope that the Pittsburgh Pirates, Three Rivers Management and the Galbreath family, if they are going to make any more public statements that they make those that have a little more merit, legally, and I think we may be able to resolve some of our differences.

And while I am at this table, I understand that one of our County Commissioners decided to be very vocal on the picture and it is rather interesting for a County Commissioner to indicate that the City of Pittsburgh ought to do this or that. To my knowledge, the Three Rivers Stadium, unless there has been some change that I am not aware of, is owned by the City of Pittsburgh and the County did not contribute to the Stadium --

**Michelle Madoff:**

Refused to I believe.

**Mr. Stone:**

...and to indicate that we are getting some profit would beg the question because they are indirect costs that the City of Pittsburgh pays, namely who pays for the police that are out there all the time, which doesn't come as a liability factor attached to the Stadium but comes against the City's payroll, but to that particular Commissioner, he might well look at his own coffers in the County to see whether or not — since this facility helps the County as much as it does the City, whether or not Allegheny County would like to give some sort of money to that situation, and I don't think it helps where one individual or one strata of government is not paying at all to attack another strata of government that is paying. I hope that terminates — I think at this point it is into a delicate —

**Michelle Madoff:**

I wasn't through, you cut me off.

**Mr. Stone:**

And as far as encouraging that people go there, I think that is necessary. The other thing is and Michelle, back to you, if I may — I don't know how you could possibly expect that the City of Pittsburgh residents can be taxed \$2 Million or \$3 Million when number one, a proper allocation for the concessions are not in the Stadium where they belong, and number two, where you are paying ballplayers millions and millions of dollars, that may be something that all of the owners have to address and I don't fault any ballplayer for getting as much money as he can, but it seems to me that the contributions ought to come from another source.

**Michelle Madoff:**

May I finish.

**Mr. Stone:**

Yes you may.

**Michelle Madoff:**

I think your points are extremely well taken, I think we might remind everybody that we did have a meeting here with the Commissioners to try to get them to put in their fair share of the Zoo for example, which is used two-thirds by the County and one-third by the City, and they wouldn't even kick in on that.

The point that I was trying to get to, do you remember when the Penguins were leaving and we were trying to save that team, that there was a big project, a public movement to get people to take season tickets, and I just thought we would extend it as a show of good faith from this Council that we would encourage that, that we don't want them to leave and I don't like the almost blackmail aspects of going down and seeing another team to sort of push us into making a decision, that distresses me, but I think we ought to turn the other cheek and say, "Look, we want you to stay, as you said, you've been good neighbors, you've done a lot of good things for the City" and that we would encourage people to buy season tickets.

There is one other thing I would like to see happen. You know there is some talk, you are probably more knowledgeable on it than I am, of a rubber wheel sort of — some kind of small transportation system to the airport from the City and we might want to extend it out to the Stadium. That might be very helpful for people to get there, whether it is the Steelers or the Pirates or what have you, and that is something I hope we are going to be

looking at in the near future.

**Mr. Stone:**

If I might just add one more correction, Mr. Galbreath came out with a statement that we are taking money away from that particular portion of the interstate, going to the Stadium and taking it elsewhere. If he would talk to someone who is knowledgeable he would find out that the exact thing he is complaining about is being done. We are taking money from 5-79, which is the Crosstown Boulevard and we are putting it over close to the Stadium, the exact thing that he doesn't understand is happening. I am at a loss to understand how you can constantly not understand and keep making public statements, and that makes it extremely difficult to deal with, but the point that I think is a very valid one, I am at a loss how Galbreath could ever imagine that the City of Pittsburgh ought to give them \$3 Million or whatever it might be, at the same time when we have people on low and moderate income who are paying interest payments and we don't have the opportunity to change their contract and they are not making any extra money either.

**Mr. Givens:**

I would like to add, my deepest concern in this whole thing is the fact that it has been going on for almost a two year period, and that we did have a construction fund over there after the Stadium was built, to be used for some type of capital improvement. I have to say, when anything is built, like a public stadium, that was turned over to Three Rivers Management, why, I'm sure they had taken a pretty close look at it, but there are certain things that can't show up until after a couple years of wear and they are most of the areas of contention, the caulking, the painting and the

caulking and the concrete cracks and with the ensuing water coming through there, is causing damage and causing the necessity to paint the facility much sooner than it would probably have to be.

It was two years ago, if you can remember Bob, in 1979 that we had the Stadium Authority before this Council and at that time I asked them why didn't they set up some type of a capital fund either through the Stadium Authority or through Three Rivers Management wherein so much of the money would be set aside for capital improvements and this is the big chunk of money that comes out of anybody's day-in and day-out occupation. Jim Morgan who is the chief architect for the Stadium Authority over there, and was commissioned to go through that, so indicated that if we do not do something to repair this facility — now that is going back two years ago — that within five years, he estimated then that there would be over a half of a million dollars in damages done to the Stadium. That is a half a million dollars in damages. Two years have passed by and nothing has happened in that parameter. It is indicated by Three Rivers Management that it costs around \$2 Million a year to maintain that facility. Looking at the Stadium side of it, they indicate from \$1 Million to \$1.5 Million was needed back in 1979 to bring that Stadium up to some entity where there wouldn't be ensuing damages being done to it. The biggest part of that again was six hundred some thousand dollars in the paying of the structure.

There is one thing I can say here is that if we don't do something and something very quickly we are going to have major damages. I feel as a Councilman that eventually, eventually this thing is going to be thrown into our lap because if the monies are not generated at the Stadium, then this

Council is going to have to tax the people of the City of Pittsburgh to make sure that our bonded indebtedness is going to be paid for each year, and I have to say in reviewing what the complaints of what the Three Rivers Management were, and were to this Council and were to this body in a letter that was sent to us some months ago that the highway system is one of their biggest gripes and I can think now that the Parkway East facility is such that it is not again, conducive to the people coming into the Stadium and leaving the Stadium. The designed efficiency of construction, although it was unexpected and some of the problems that they were going to have, that is still a major part. Auxiliary facilities that were to be built there, as we are all well aware of, the hotel, the marina, the North Shore tying it in. You know we can spend millions of dollars and we have in the last couple of years, on UDAG grants to help everybody in the City of Pittsburgh. Millions upon millions and yet we won't do anything to help this particular facility over there. We've just left the North Shore sit there for many, many years and I would think something could be done with a little envision as to what we could do with that particular property over there. It has never been done and I think that is a defect, or fault on the City of Pittsburgh in what we are doing there.

The other main thing was the issuance of the Stadium bond itself. I mean that Stadium was being built and the bonds and this contract with Three Rivers was signed in 1966 yet it was 1971 before the bond issue was let by the City of Pittsburgh. The contract had already been negotiated. That costs on an average, around \$800,000 some to Three Rivers Management. The interest rates were 3.75 when they went into the contract, by the time the City of Pittsburgh came around, it was 6.5. I can allude to that, that this year alone

we are having the same problem within the City of Pittsburgh again in our own Capital Budget and we are delaying and delaying and delaying and during this delay, the interest rates have gone up.

I don't think Galbreath's have never sought to have a financial gain within their Pittsburgh Ball Club. I think all of us can appreciate that their franchise is going up at probably the average inflation rate or maybe just a little bit more, so they will gain eventually, if and when they ever sell the ball club but they can absorb the substantial loss each year. When we review it it is a \$7 Million loss that they have had over this period of time and in 1979 it was \$1 Million and in 1980 it was \$2 Million, so I think they are looking at a picture that their losses are going to continue --

**Mr. Stone:**

Yes but does that loss include or exclude the --

**Mr. Givens:**

Concessions.

**Mr. Stone:**

No other stadium in the country --

**Michelle Madoff:**

Has concessions.

**Mr. Stone:**

This again, you know, I'm at a loss to understand in their P.R. how they can do it. They list all these things and leave off the concession. Every other stadium includes the concession. Now, it is hard to deal with people who are not dealing with you from straight off the top of their deck.

**Mr. Givens:**



I agree and there is \$1.7 Million to almost \$2 Million worth of profit from the concessionaires but when you review, as depicted by Three Rivers Management, some of the overall contractual agreements that we have in minimum rents, we have the highest, in apparently, the ones that they had so indicated, Philadelphia, Cincinnati, New York and St. Louis —

**Mr. Stone:**

We do not have the highest rent if you include the concession.

**Mr. Givens:**

Minimum, minimum. The highest minimum rent.

**Mr. Stone:**

I don't care what it is, we still don't have the highest.

**Michelle Madoff:**

Not with the concessions they don't.

**Mr. Givens:**

The highest minimum rent —

**Mr. Stone:**

The Pittsburgh Steelers who are the lessee don't get the concession money from it.

**Mr. Givens:**

The concession, I have to agree with you and I think that is the part that has to be —

**Mr. Stone:**

That's only a drop in a bucket,

that's a couple million.

**Mr. Givens:**

I said it was \$1.7 Million to \$2 Million, it averages.

**Mr. Stone:**

That's my point.

**Mr. Givens:**

And they are sustaining losses of some \$2 Million a year but the losses have been increasing substantially over the last couple years which would put up a red flag with them saying if this continues then they are really going to be in a deficit type situation. I would have to look and I would think that the contract as we have it right now, the contingent rent above the minimum rent that we have, the Stadium maintenance that we look at and the admission taxes, I mean all of these, and compare them to other cities and you can see that the City of Pittsburgh had everything worked out, had they got the bonding issue when they should have, had the Stadium been built in the proper way that they would have to have put in the previous years —

**Mr. Stone:**

And had the Three Rivers Management been repairing every year instead of holding back all this time —

**Michelle Madoff:**

Or increasing salaries.

**Mr. Stone:**

We wouldn't have as much damage as we have today. Had our Stadium Authority forced them to pay their bills yearly rather than wait this ten years, or nine years, we wouldn't have the

problems.

**Mr. Givens:**

According to the Stadium architect who went over and looked at all the problems that we have within the Stadium, it was so indicated that the Three Rivers Management had been doing things up until about 1979 when they --

**Mr. Stone:**

That's why their minutes reflect that they have been trying to get the Three Rivers Management to do something for over five years without success.

**Mr. Givens:**

Well who would go and build a Stadium and have open pipes and have water run through those pipes in the middle of winter, you know they are going to crack, but yet that Stadium was made this way. When they had flooding just from a good rainstorm they didn't have proper drainage, they said well that's \$10,000 to put in that particular drain. That should have been part of the constructural design of the Stadium itself, that was not done. I'm saying someplace along the line, and I so indicate to you Mr. President, at this time, if you would get with Mr. DePasquale, and I feel that Council, through the President should form some type of a committee to look into this because ultimately Council has the ultimate responsibility. Give it the Stadium Authority, give it the Mayor, give it whoever -- Three Rivers Management, the Pirates, the Steelers, anybody you want to, the buck is going to stop right in this Council right here and I'm asking for the President to form a committee to look into this to see if we can in our own wisdom come up with

some type of solution. I don't think Three Rivers Management, nor does the Mayor, nor does this Council want this thing to go in to court. I think they wanted certain things to go to binding arbitration but that list had grown from minor things of arbitration to major things of arbitration, that was the bone of contention. They didn't want to open up -- the Three Rivers Management didn't want to open up the whole ball of wax, but it is to a point that I could assume any business enterprise, regardless of who it is, it is to a point where they say no and I don't want Three Rivers Management to ever get to that point where we can't sit down at the table and talk with them. Apparently it is in that position right now and I think this Council should take the initiative to do something to act as intermediaries if we have to, to at least sit down and to offer our advice. If the Council doesn't do it as a body then surely this Councilman will do it as an individual.

**Michelle Madoff:**

Mr. Stone, would you give me some clarification, you gave me some very interesting figures today. I am not a sports fan perse, I am sort of a peripheral sports fan and I am really not up on the issue. Are you saying that people do get out in greater numbers for Steeler's games than they do to the Pirates? So that getting there is really not the big issue.

**Mr. Stone:**

The Pittsburgh Pirates have gotten into a program in recent years to try to enlarge attendance. Heretofore, and I happen to have been part of it, they were working with the fraternal groups to try to do something about it and we made a suggestion to them at that time which kind of fell on deaf ears. This was a way to try to get them some attendance and

then after that, since they didn't do that, they later found out that they were in error —

**Michelle Madoff:**

But is that still a fact that we get more people by a substantial factor, for the Steeler games than the Pirates?

**Mr. Stone:**

I think they are using more of these special affairs to get people there and once they get accustomed to going, they tend to go.

**Michelle Madoff:**

But is it still a fact that there are less people going to the Pirates' than there are to the Steelers? Substantially?

**Mr. Stone:**

If my recollection serves me there is a slight increase in last year's —

**Michelle Madoff:**

But there is still a broad difference because you are saying they could get more people.

**Mr. Stone:**

Well, they have some added problems, which in fairness to them, everything costs more today and obviously the thing that has gone higher than anything is the ballplayer's contracts. That is their big problem presently.

**Michelle Madoff:**

Well I just wanted to be — for the record — it was not my intention today to suggest that we bail out this problem by dealing with the Pirates, but to have

some kind of a compromise that would be acceptable to both sides and I think you said that probably more eloquently in the beginning, in light of the future revenue that we could lose to the City. Nobody wants the Pirates to leave, but we also don't want to as you said at the expense of small people, having to raise taxes to pay for that Stadium and there has to be some kind of middle ground and I would agree with Councilman Givens that we have to intercede, we are really the court of last appeal, unless indeed, we want it to go to court as you said, maybe that is the only way it will be resolved but if it can be re-negotiated in a way acceptable to everybody in a compromise where we are at fault, they are at fault and perhaps the strong kind of support that we gave the Penguins if people would write postcards —

**Mr. Stone:**

I think more things will happen when Three Rivers Management quits blowing that trumpet with a sour note.

**Michelle Madoff:**

Well I agree with you but I'm saying that while they are being sour we can be positive and I hope that our attitude is a positive one.

**Mr. Stone:**

That is my exact point. So far to my knowledge there is no one — our Stadium Authority nor the Mayor's Office nor this Council has ever said anything derogatory about the Pittsburgh Pirates, Three Rivers Management or the Galbreath family and that I think, leaves it in a positive position and everybody has pretty much stood still hoping that they would quit blowing as I indicated, this trumpet with a bad chord.

**Mr. Flaherty:**

I have a point of information also  
**Mr. President?**

**Mr. Stone:**

Same subject again?

**Mr. Flaherty:**

No.

**Mr. Stone:**

Wait a minute, let me just -- we're finished with this subject? Okay, now to you. Oh, wait a minute, Mr. Givens, you had another subject I think.

**Mr. Givens:**

No, I was on the subject --

**Mr. Stone:**

Okay, Mr. Robinson and then you Tom.

**Mr. Robinson:**

I'll be very brief. My concern relates to an increasing crime problem in the Hill District which is centered on Herron Avenue near Milwaukee and Bryn Mawr and the situation has gotten to the point where the neighbors and persons in the vicinity have brought this to the attention of various government officials, Inspector Moore of #2 Police Station is doing what he can to deal with that problem but it would seem to me that the problem is a lot bigger than he is going to be able to address. There seems to be some question as to whether or not certain business establishments along the Herron Avenue corridor are being used for drop points for narcotics and dispensing points. Anyone on this Council that tries to drive through that area in the evening will notice that they not only have difficulty getting through

that area but the police are very busy chasing people through the street, we have had a number of people harrassed, a number of people knocked down, homes broken into in that area. The situation is very serious and I would like to have a letter go from this Council to the Superintendent alerting him to this problem and asking him to get back to us in writing, what, if anything, he is doing, plans to do and what, if any, connection we have with other agencies such as the L.C.B. and others to try to deal with the drug problem in that area. It is going to get worse and I would hope that the Administration as well as this Council would take some action before somebody gets killed.

**Mr. Stone:**

Mr. Robinson I think your point is a very valid one, I would just hope that you'd change it slightly and then within two weeks have the Superintendent of Police, Mr. Moore, to come here at this Council table as a post agenda item.

**Mr. Robinson:**

So be it.

**Mr. Stone:**

Those people at Herron have suffered too long. That is probably the worst area in the City of Pittsburgh, it needs some immediate attention.

**Mr. Robinson:**

And somebody from the L.C.B.

**Mr. Stone:**

Correct. Mike, call down. Okay, Mr. Flaherty.

**Mr. Flaherty:**

The point that I am going to bring up is not in regard to the Stadium but it is certainly in regard to the taxpayers. I have received a few calls from people who are involved in a group called Coalition '81 which is interested in pursuing a petition drive to put a question on the ballot in regard to how members of Council are elected and this seems to be a cross-current of quite a few of our organizations throughout the City which includes the Pittsburgh Neighborhood Alliance and ACORN and they had requested if they could use Council Chambers in the evening to conduct a seminar and also attempt to educate the people who are concerned as to where this question stands as of now and especially in regard to Council's actions and they were also interested in talking about perhaps starting a drive for the petitions to put a question on the ballot.

The calls that I have received said that they put calls in to our City Clerk's Office and they were refused because the issue was seen as being political but they seem to have a precedent to argue from in that the Home Rule Study Commission held quite a few public meetings in Council Chambers and this issue is along exactly the same lines, it is in regard to a question on the Charter and so they asked me to address this question to Council as a whole and also to see if they could receive a consensus from the members of Council and I was wondering if we could have some kind of response.

**Michelle Madoff:**

Is that a motion that you are making that they can use the room?

**Mr. Flaherty:**

Yes.

**Michelle Madoff:**

I would second that.

**Mr. Stone:**

What is our policy on the room Mike?

**Mr. Givens:**

I second that motion Mike and I would suggest that his request should go down to —

**Mr. Stone:**

Wait, wait, wait, what is the policy on the room Mike?

**Mr. Perry:**

The policy is that anyone who wants to use the Chambers can use it providing it is non-political, I would let them use the Chambers, but if I —

**Michelle Madoff:**

We've let the Home Rule Charter use it, I mean, we don't discriminate.

**Mr. Stone:**

No, I don't agree with the analogy but it seems to me its a subject —

**Michelle Madoff:**

We'd look like we were trying to stifle them if we don't let them use it.

**Mr. Stone:**

They can use it Mike.

**Mr. Flaherty:**

Yes, I will tell them that you agreed to this Councilman Stone and I

thank you.

**Mr. Givens:**

Well, I don't quite agree with that Mr. President, if you are acting in that capacity right now, I would suggest that if it is not political in nature it can be done.

**Mr. Stone:**

No but it is dealing with a City issue and hearing a view doesn't bother me one bit. It is an issue that is now coming up, if they ask for 25 people, they can get a hearing --

**Mr. Givens:**

I agree, if it is educational in purpose to let people know both sides of the argument that is one thing but to let use these Chambers as a political area to motivate a yes or a no vote on a subject, I think, is political in nature and should not be condoned within these Chambers, that is all I am saying. Ask the motion to be written out from the two particular groups, sent to the Chief Clerk and I would suggest the Chief Clerk then submit it to the Law Department and leave them decide whether this is political or not in nature. I don't think this Council should do it I think it should be an opinion from the Legal Department.

**Michelle Madoff:**

Mr. Stone, it is political in nature by virtue that this Council has the right without going to referendum, to vote for at-large, nine at-large -- it is a political issue in any event, the public pays for these facilities and they have a right to use these facilities.

**Mr. Flaherty:**

Yes.

**Mr. Givens:**

My point is that according to the Home Rule Charter, no political, quote, activities can be done in these Chambers, be it a public chamber or not, they cannot be done in this governmental building or any other building for that matter.

**Mr. Stone:**

Its a meeting place, I don't see it as a big problem.

**Mr. Givens:**

I have no problem with it but I would like to see a written statement --

**Mr. Flaherty:**

Well if you don't have a problem, they are interested in having a meeting --

**Mr. Stone:**

I only have one passing comment if I may. All those who say that we ought to educate, if they were educating rather than giving a distorted view it would help the cause completely. Aside from that I see no problem at all.

**Mr. Perry:**

I wasn't told that Mr. Stone.

**Mr. Stone:**

Mike, I think you ought to take it up with the President as well so we have one policy here, okay?

**Mr. Givens:**

Well, I would like to see the

purpose of the meeting and be sure because I don't want to be criticized in using the Chambers for something that was not — Mike, one more thing, this Council does not have anyone sitting on the Stadium Authority, I request a letter to go from this Council to the Mayor requesting that this position be filled. Jim Lally used to be but he has not been on this Council for one year and so many months.

**Michelle Madoff:**

I move to excuse Mr. DePasquale for absence from this meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Flaherty** moved to approve the minutes of Monday, April 13, 1981.

**Mr. Givens** seconded the motion.

And on motion of **Mr. Givens**

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, MAY 4, 1981

No. 18

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE ..... President  
MICHAEL PERRY ..... City Clerk  
WILLIAM F. McCRAE... Ass't City Clerk

Pittsburgh, PA  
Monday, May 4, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 3098 Resolution providing for the issuance of a warrant in favor of General Elevator Company in the amount of \$9,104.50 in payment for extra work

furnished for the benefit of the City in connection with modernization of Elevator "H" to comply with regulations of the State Department of Labor & Industry and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 3099 Resolution providing for a contract or contracts or use of existing contracts in connection with Public Property Sidewalks and providing for the payment of the cost thereof payable from the amounts indicated from CDLB 80-14, and CDLB 81-09, Public Property Sidewalks.

Also,

No. 3100 Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole and one (1) anchor, together with crossarms, cables, wires and other necessary appurtenances on City property designated as Block and Lot 122-L-50 fronting on Allegheny River Boulevard to provide service to the Brilliant Asphalt Plant.

Also,

No. 3101 Resolution repealing Resolution No. 308, approved 4/28/77 for the sale of a 2 story brick house on 3214 Camp Street, 5th Ward, designated as B. & L. 27-B-96, to William A. Baker, for the sum of \$750.00. Resolution is to cancel sale and forfeit the hand money.

Also,

No. 3102 Resolution amending Item (O) of Resolution No. 289, approved 4-16-80 for the sale of vacant land on Niceville Street, etc., 31st Ward, desingated as 90-S-19 - 55-56-71-72-73-74-75-99-101 to Peter J. Caruso for the sum of \$4,400.00. Amendment is to correct B. & L. Number (90-S-74).

Also,

No. 3103 Resolution providing for the filing of a petition/s for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 3104 Resolution providing for the filing of a petition/s for the sale of property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 3015 Resolution providing for the issuance of a warrant in favor of Atwood & Bates Construction in the amount of \$5,500.00 for "Extra Work" in connection with the reconstruction of intersection of Forward/Murray/Pocusset.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill

was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3016 Resolution further amending Resolution No. 474, approved 6/21/76, effective 7/2/76, as amended, entitled, "Authorizing the URA of Pittsburgh to act as agent of the City of Pittsburgh in matters of property acquisition and relocation required for street rights-of-ways which are federally assisted", by increasing the amount from \$100,000.00 to \$900,000.00.

Which was read and referred to the Committee on Public Works.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3107 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Messrs. Recker and Perella, to attend Street Lighting Seminar, Hendersonville, N.C., May 3-6, 1981, at a cost not to exceed \$600.00, payable from Code Account No. 1502, Miscellaneous Services, Department of Public Works.

Also,

No. 3108 Communication from Louis Gaetano, Director, Department of

Public Works, requesting interim approval of payment of \$1,280.00 for work in connection with reconstruction of Forward Murray, Pocusset Street intersection, to be payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 3109 Resolution providing for the issuance of a warrant in favor of Perkin-Elmer Corporation, Citibank NA-WCGSM, Sort 2539, New York, N.Y. 10043, in the amount of \$770.00, chargeable to and payable from Code Account No. 1705, Repairs, Department of Water, for repairs to Atomic Absorption Spectrophotometer.

Which was read and referred to the Committee on Finance.

**Mrs. Masloff presented**

No. 3110 Resolution authorizing the issuance of a warrant in favor of "The General Fund" (MNOC) in the amount of \$108,371.01, as reimbursement for monies inadvertently deposited in "Young Adult Conservation Corporation Project Trust Fund." This payment to be chargeable to and payable from the "Young Adult Conservation Corporation Project Trust Fund, " Pittsburgh National Bank Special Trust Fund Number Two.

Which was read and referred to the Committee on Finance.

Also,

No. 3111 Resolution providing for an Agreement/s with the Center for

Environmental Intern Program Fund, Inc., for an Environmental Intern Program in conjunction with the evaluation of existing trails in Riverview Park at a cost not exceeding \$2,620.00.

Also,

No. 3112 Resolution providing for an Agreement or Agreements with architectural, engineering or other professional services in connection with long-term planning for Frick Park and providing for the payment of the cost thereof, not exceeding \$15,000.00.

Also,

No. 3113 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$604.00 for extra work in connection with General Construction Contract for Highland Bathhouse.

Which were severally read and referred to the Committee on Parks & Recreation.

**Mr. O'Malley presented**

No. 3114 Resolution providing for the letting of a contract/s or for use of existing contracts for the furnishing and delivery of Mini Computer and Writer Equipment for the Department of Emergency Medical Services, and for the payment thereof, at a cost not to exceed \$10,000.00.

Which was read and referred to the Committee on Supplies.

Also,

No. 3115 Communication from Glenn Cannon, Director, Department of Emergency Medical Services, requesting

interim approval of payment of \$1,900.00 for extra work in connection with rehabilitation of Medic Unit 1.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 3116 Resolution approving a Conditional Use under Section 993.01(a)9 of the Pittsburgh Code, Title Nine, Zoning, to Chatham College to install a parking area for 15 automobiles on property located on Woodland Road adjacent to the Benedum Women's Residence, 14th Ward.

Also,

No. 3117 Resolution approving a Conditional Use under Section 993.01(a)A 41 of the Pittsburgh Code, Title Nine, Zoning, for an adult mini theatre located at 228 Forbes Avenue, 1st Ward.

Also,

No. 3118 Resolution approving a Conditional Use under Section 993.01(a)A 43 of the Pittsburgh Code, Title Nine, Zoning, located at 5412 Beacon Street for the use of Carol A. Golden as a Group Residence Facility, 14th Ward.

Also,

No. 3119 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Paul Farmer to attend National Council for Urban Economic Development Annual Conference, Washington, DC, May 17-20, 1981, at a cost not to exceed \$650.00, payable from Community Development Block Grant Program, CDPA.

Also,

No. 3120 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Assistant Director Evan Stoddard to attend Tax Abatement Meeting, Harrisburg, PA May 13, 1981, at a cost not to exceed \$175.00, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Development.

Also,

No. 3121 Communication from Edward deLuca, Director, Department of City Development, requesting permission for Donald Nelson to attend Basic Economic Development Course, Rochester, NY, June 7-12, 1981, at a cost not to exceed \$900.00, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Development.

Also,

No. 3122 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend Pennsylvania Council for Urban Economic Development Meeting, Bushkill, PA, May 31 - June 3, 1981, at a cost not to exceed \$550.00, payable from EDPP-TF, Economic Development Planning Program, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 3123 Resolution changing the name of Mission Street Field at Mission Street in the 16th Ward of the City of Pittsburgh to Herman "Bandi" Schaum Field.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Stone** moved to suspend Rule 5 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 3124 Resolution providing for the issuance of a warrant in favor of Inforex, Inc., in the amount of \$7,000.00 for the emergency and sole source purchase of data entry services furnished to the City Information Systems Division of the Mayor's Office without previous authority of law.

Also,

No. 3125 Resolution providing for the issuance of a \$2,275.00 warrant in favor of Olive Marie Obel for property damage by a Department of Public Works vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 3126 Resolution providing for the issuance of a \$1,023.33 warrant in favor of Motors Insurance Corporation and L.M.V. Leasing for automobile damage by a Department of Public Works vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 3127 An Ordinance reenacting Chapter 265 of the Pittsburgh Code, Temporary Exemption for Certain Residential Improvements

and Construction, and amending Section 265.10.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 3128

Report of the Committee on Finance for April 29, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3028

Resolution entitled, "Resolution transferring the sum of (\$1,500.00) One Thousand Five Hundred Dollars from Code Account No. 1160-1, Premium Pay, Department of Environmental Services to Code Account No. 1162, Gas and Electric Service, Department of Environmental Services."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale

Mr. O'Malley (Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3038

Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$8,982.20 to the Commonwealth of Pennsylvania representing final payment required for unclaimed funds for the year 1972 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

Also,

Bill No. 3039

Resolution entitled, "Resolution providing for the issuance of a \$4,120.00 warrant in favor of Ruth E. Ostojic, Donna Lee Ostojic and Linda Lee Pierce in full settlement of claim for property damage."

Which was read.

Also,

Bill No. 3040

Resolution entitled, "Resolution providing for the issuance of a \$839.88 warrant in favor of Pennsylvania National Insurance Group and Scott A. Smith in payment of claim for automobile damage."

Which was read.

Also,

Bill No. 3041

Resolution entitled, "Resolution providing for the issuance of a \$1,895.00 warrant in favor of Ronald C. Zilner in full settlement of claim for automobile damage."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3042

Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies including but not limited to School District of Pittsburgh, Pittsburgh Catholic Educational Programs, Inc., Recruitment Training Program, Inc., Three Rivers Youth, Inc., and University of Pittsburgh - Upward Bound, effective

April 1, 1981, for the implementation of the City of Pittsburgh's Summer Youth Employment Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3043

Resolution entitled, "Resolution repealing Resolution No. 155, approved February 13, 1981, effective February 24, 1981, entitled, 'Providing for an Agreement or Agreements with File System Specialists or Consultants for professional services in the implementation of a new Numeric Color Code Filing System designed from computer processed tax account information in connection with Employer Withholding Earned Income and Occupation Tax Accounts and Registered Business Tax Accounts; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

Also,

Bill No. 3037

Resolution entitled, "Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of \$1,204.93 to the Commonwealth of Pennsylvania representing initial payment required for unclaimed funds for the year 1973 pursuant to the provisions of the Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971, P.L. 74."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 3129

Report of the Committee on Public Works for April 29, 1981 transmitting

one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3058

Resolution entitled, "Resolution further amending Resolution No. 575, approved July 27, 1976, as amended by Resolution No. 592, approved June 27, 1979, effective July 2, 1979, entitled 'Resolution providing for a Contract or Contracts for the improvements to the intersection of Forward Avenue, Murray Avenue and Pocusset Street (PW 76-9) and related waterline improvements (W 76-2); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing the total project allocation by Thirty Seven Thousand (\$37,000.00) Dollars."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 6 NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 3130

Report of the Committee on Planning, Housing & Development for April 29, 1981 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2569

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16 by changing from 'R4' Multiple-Family Residence District and 'C3' Commercial District to 'A1' Commercial-Residential Associated District all that certain property bounded by: Frankstown Avenue, Sterrett Street, Felicia Way and North Homewood Avenue, 13th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

On Council Bill 2569 I would like to know if the Clerk or the Assistant City Clerk received the information that I requested from Reverend Simms relative to the Mayor's Neighborhood Revitalization Task Force?

**Mr. Perry:**

No I haven't.



**Mr. Robinson:**

Okay, in that regard then I would like to make a motion to recommit Bill No. 2569.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

Bill No. 3036

Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 430 and 436 Market Street, Block and Lot 1-D-165, in the Market Square Historic District in the 2nd Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff for Mr. Givens presented**

Bill No. 3131

Report of the Committee on Public Safety for April 29, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3060

Resolution entitled, "Resolution amending Resolution No. 194, effective March 31, 1980, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of various City vehicles for the City of Pittsburgh, and for the payment thereof', by also providing for the use of existing contracts to secure delivery and authorized payments for vehicles."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

On Bill 3060, is this on the short term, five year bond for —

**Mr. Stone:**

What bill are you talking about?

**Michelle Madoff:**

Bill 3060. Is a part of the short term, five year operating bill for vehicles?

**Mr. Stone:**

Yes, lease authority.

**Michelle Madoff:**

Well what are we passing on? Are we going to pass it now to make payment?

**Mr. Perry:**

No, they are putting in the use of existing contracts Michelle, that is the only thing they are adding.

**Michelle Madoff:**

The reason I am confused is that I thought we had signed a note for five years and they were the vehicles and they had authorization for payment, are we going to vote every time the payment is made?

**Mr. Stone:**

It is an amendment to it.

**Michelle Madoff:**

What is the crux of the amendment?

**Mr. Stone:**

Using new contracts or existing contracts.

**Michelle Madoff:**

Well will this fall under the five year contract or will this be an addition?

**Mr. Stone:**

It is giving them flexibility of operation. See, if you don't authorize and use the old contracts, all he can do is new contracts.

**Michelle Madoff:**

The reason I am concerned is that I had asked Larry Yatch two months ago and he just told me he is swamped is the

reason he hasn't prepared yet, it is a light cycling bill, the State has passed one and most cities are ready and most communities are already doing the same thing so that we get the best value, not necessarily at the lowest bid, over the long term and I know that he has some material that was prepared by the gentleman who left, I forget his name, Rich? And I hope he is doing that on automobiles as well.

**Mr. Stone:**

But without this provision he can't use those so we are giving him more ability to function.

**Michelle Madoff:**

Its alright with me.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

Bill No. 3132

Report of the Committee on Water for April 29, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3029

Resolution entitled, "Resolution providing for a contract or contracts for the Relay of Undersized Water Lines Serving Fire Hydrants in Various Streets."

Which was read.

**Michelle Madoff:**

For the record I would like to make a comment, because it was a tight budget and a tight year, as you know, the Director and myself and most of Council are not very happy with the dollars allocated for this particular need which is to replace defective water lines. Our sewers and our water lines are in worse shape than our bridges and if we don't do something in the next year or years, at the rate we are going, at 1% replacement, we are going to be like 150 years replacing the lines. We are in very serious dire straights. We are probably one of the few cities in the country that uses money from water into the General Fund, you know, revenue that is generated by the sale of water to go to the general fund and somewhere along the line that is going to come and hit us right smack in the gazebo. We're going to have to deal with it at budget time and I would suggest to Mr. Stone that he start looking into it very early.

I have no alternative but to move for approval because it is better than nothing.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 3133

Report of the Committee on Parks & Recreation for April 29, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3032

Resolution entitled, "Resolution providing for an Agreement or Agreements with various Contractors for visual and performing Art Services in connection with the 1981 Recreation Program, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3033

Resolution entitled, "Resolution providing for an agreement or agreements with the Carnegie-Mellon University for the services of the group named Metro Theatre, through the College of Fine Arts, Drama Department, in connection with the 1981 Summer Recreation Program of the Department of Parks and Recreation; and providing for the payment of costs thereof."

**Michelle Madoff:**

Is this an operating cost bill? I only have one bill, I don't have the other one, on Bill No. 3033, for \$23,500.00 is that operating money from our Operating Budget?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

That could be put into sewers? When are we going to get Louise Brown to go after some of those foundations? The money we are getting, I've compared it to other cities and it is a joke. When she gives us a list it looks good but I have compared it to other cities and it is a pittance. Mellon or one of the foundations, or Koppers would love to underwrite something like this and get the credit and write it off.

**Mrs. Masloff:**

They have just underwritten \$6 Million for the Zoo.

**Michelle Madoff:**

Good, let them underwrite \$6,023,500.00.

**Mrs. Masloff:**

No, they won't do it. This has gone out.

**Michelle Madoff:**

They will do it. Its not very hard. I have told her, I have asked her to form a committee, she laughs, she thinks it is very funny, and we ought to have a number of the people on this Council who would be willing to go with her. And we could also get some influential people from the Allegheny Conference to help, there is something very sadly wrong.

I am voting no on both bills, I think they are important programs and the money is available elsewhere.

**Mr. O'Malley:**

For the record, I agree with Michelle on this point that we should look for alternative sources instead of having the money come out of our General Fund but I would hate to vote against it and hold up these programs for this year because I think they are needed.

**Michelle Madoff:**

Wait until you are here a couple of years and it still keeps going through.

**Mr. Robinson:**

I would like to add my support to the position that Michelle and Jim are taking on this matter and encourage the Chairwoman of Parks and Recreation to explore more vigorously with Louise the possibility of getting foundation money to offset some of the money of the cost of programs that we are now operating.

**Michelle Madoff:**

Mr. Robinson, I just wanted for the record, to point out that I have personally been in a position, on unpopular causes, of having to go out to foundations and raise money and money can be raised. I have raised it and I am telling you that there are things that are popular issues where the companies want their name associated. You know they get most of it as a write off, it doesn't cost them very much and they love the publicity, it is cheaper than paying their advertising agency.

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 5                      NOES 1  
(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff for Mr. Flaherty presented**

Bill No. 3134

Report of the Committee on Lands & Buildings for April 29, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3027

Resolution entitled, "Resolution providing for an Agreement or Agreements and/or a contract or contracts in connection with the renovation of Engine Co. #4, Uptown and providing for the payment of the costs thereof."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### MOTIONS AND RESOLUTIONS

**Mr. Robinson:**

Mr. President, it has come to my attention that a number of persons who have negotiated for the purchase of city properties or properties transferred by U.R.A. are having some difficulty in resolving the issue of back taxes. Evidently there is some process that is

utilized by City agencies to exonerate back taxes on properties that are turned over to new owners. Many of the new owners are experiencing difficulty in getting those taxes exonerated and are finding themselves with tax bills for back taxes. I was wondering if perhaps the City Clerk couldn't send some sort of communication to Mr. George at U.R.A., Mr. Evers in Lands & Buildings and Mr. Schmeiser in our Treasury Department to determine if they are aware of this problem and what, if any procedures, we have to try to resolve this. It would appear that many of the property owners in question are feeling a bit put upon because the tax bills are in their name and they do feel a sense of responsibility. If we could get that resolved as soon as possible I think it would help quite a bit.

**Michelle Madoff:**

Mr. President, I support Mr. Robinson and Mr. O'Malley is holding a bill that we are co-sponsoring and I hope Mr. Robinson will join with us today with reference that we have had previously that Mr. Stone I think has zeroed in on and that is that we want to know when U.R.A. takes property and holds it, at least that we are advised of it. Mr. Robinson wants to make some amendments to it which is fine with me and it will come back again but we really have some serious problems with U.R.A. and I think it is time this Council started addressing them.

I have asked my Administrative Assistant Miss Stauffer, to give Mr. Stone and other members of Council a copy of a memo that came into our office again, we have another matter, another issue of harrassment, another woman whose sidewalk is torn up by a tree, who has been threatened that if she doesn't go out and get it fixed right away that they are going to fine her \$300 and

she can't find someone to fix it right away and there is no commitment that we are going to pay her or reimburse her. We are back to the same ballgame.

Now, Mr. Lou Gaetano has given us a new schedule, I don't know if Council is aware of that, he has re-scheduled the payment plan. He will approve the payment plan and I guess the modus operandi would be to refer her to Mr. Gaetano and have Mr. Gaetano deal with it but I think it would be a good idea if every member of Council had the woman's name and number and see what happens because I am tired of this kind of harrassment out of the City. We pick on the little people who can't fight back and not the people who can afford to go out and get attorneys.

One last item. I, from my environmental days, still get a lot of mail and I guess because I am on the Energy Committee for Council -- Penn Energy. And there is something of interest I thought Council might want to know. There is a senior employment program which awards monies from the U.S. Department of Labor to place senior workers in training programs in energy related industries. This innovative on-the-job training program will reimburse private employers up to 50% of the training wages for workers 55 years and older who meet the eligibility guidelines. Private industries who specialize in energy management, conservation and production should contact Carol Rebar. I would think that this is something we ought to give to Melanie Smith. I am tired of all the programs that are make-do programs where people cannot earn a living afterwards and here is one where they can actually get trained on the job, people who are being let go in the steel industry might have a chance for a lucrative employment.

**Mr. O'Malley:**

I had a little problem this morning, regarding our Civil Service, it seems that they sent out notices for E.M.S., they were taking applications and testing for paramedics. The test date was April 23rd and a number of people called saying they never got the notification until May 1st. I wonder, how can you take a test to be a paramedic on April 23rd if you're not notified until May 1st? I would like Mr. Perry to send a letter down to find out why this mix up occurred and what can be done to correct the situation, also a re-testing for those applicants who got their notices too late.

**Michelle Madoff:**

I might add to that Councilman O'Malley, it was people going from Clerk I to Clerk II and they were told that was too bad. Tough bananas. We cannot give you another test, you just missed it you'll have to come back another time and they were very tough about it and I think — that is what I mean about this Council knowing what is going on, we vote on bills we're taking everybody's word for.

**The Chair:**

Well in regard to the test, if they don't take it the day of the test, that's it.

**Mr. O'Malley:**

Well how can they take it if they are not notified until two weeks after the test is scheduled? That is my point.

**The Chair:**

Well is this an isolated case? It doesn't happen very often.

**Mr. O'Malley:**

Melanie Smith and Michelle Cunko give us the idea that they are very qualified ladies and they handle their department very well but it seems to me that they are far from perfect and when they are wrong they should justify why they are wrong and if you have a number of people out there who are qualified to be paramedics then they should have the opportunity to be re-tested.

**The Chair:**

Well I think that party that said they got an application or a notice two weeks after the test was given, I think they ought to come in here.

**Mr. O'Malley:**

I have it on my desk with the letter and I have the post mark May 1st.

**Michelle Madoff:**

Well that could be a mail situation. In the instance that I know of there was a fire in town and the bus couldn't get there in time and through no fault of their own the bus couldn't get there in time and through no fault of their own, there were about six or seven people coming from the same area, got there late and they were refused the test and were refused to have a follow-up test.

**Mr. O'Malley:**

Could you check on that Mike?

**The Chair:**

Well what did she say when you told her about the two week delay?

**Mr. O'Malley:**

I'm waiting to hear from Melanie Smith now.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, MAY 11, 1981

No. 19

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAE**...Asst City Clerk  
Pittsburgh, PA  
Monday, May 11, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Our first order of business is normally the Presentation of Papers but today Mr. Givens has a resolution he would like to present. Mr. Givens.

**Mr. Givens presented**

No. 3169 WHEREAS, the United Nations General Assembly has proclaimed 1981 as the International Year of Disabled Persons; and

WHEREAS, the purpose of this proclamation is to encourage the rehabilitation of people who suffer from some form of physical or mental impairment; and

WHEREAS, the City of Pittsburgh is known world-wide as a place of industrial might and for its strong and hard working citizens, a proud reflection of that image; and

WHEREAS, the best mirror of Pittsburgh's strength and endurance are the Handicapped and Disabled citizens who contribute much to the quality of life in this great City through their talents, abilities and dedication.

#### NOW, THEREFORE,

BE IT RESOLVED, that during this International Year of the Handicapped, the Mayor and the Members of the Council of the City of Pittsburgh hereby recognize and commend those persons in our society on whom life has bestowed the additional burdens of being handicapped, and hope that their example of will and determination will serve to enhance the partnership between them and the community, and inspire us to live together in understanding and love.

Which was read.

**Mr. Givens** moved for approval.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

Mr. President, thank you very much. The group in the Council Chambers here are from the Highland Veterans Hospital and as you can see, most of them have their disabilities along with them. The fact that this is the year of the handicapped, and just to make a little example here, it would be very difficult for one of the people in the wheelchair to come up and get this particular resolution, which is no fault of anybody's but this demonstrates the plight of the handicapped.

Working within our Council office right here, we have Bill Langston, Bill is out there with us and he has been a noteworthy employee of this Council for almost a half a year to a year right now and I think this adds validity to the sensitivity that this Council has on the part of the handicapped.

I think all of us have to be aware that when we have our Finance hearings in the months of November and December, many of these particular groups come in and tell us of their problems. If we look at the public facilities only within the City that we are responsible for, we know that we have to come a long way before we can accommodate the people who would like to work and be fully employed within the City.

Janet Scullion is the nurse accompanying the group from the Highland Veterans Hospital and Janet, if you would, please say a few words for your particular group and I know Mel, who has great credentials with him and

would like to sing a song in tribute, I believe, to the year of the handicapped. Janet.

**Ms. Scullion:**

Ladies and gentlemen, I would like to introduce to you the group that is with us today, representing the Veteran Administration International Year of Disabled Persons.

We have with us today, John Rusak who is the President of Patient Government at Highland Drive Hospital; in the second chair is Jim Scarantino, Representative of Patient Government, Highland Drive; John Van Brakle, the third gentleman, is our Chairman of the International Year of Disabled Persons, he is a counselor employed at Highland Drive Veteran Hospital, and he will accept the proclamation. We have with us also, Bill Langston, who is a success story for the V.A. and our efforts to work with the community and what you have given him in terms of independence, by giving him a job, he now has an apartment that he has acquired through the efforts of Councilman Givens and his wife and will soon be leaving the Veterans Hospital as an employed person, very independent due to your efforts. We have with us also, in the last chair, Mr. Mel Loughner, who has recovered from three strokes and is a former professional singer with the Civic Light Opera, he lives independently on his own, he is also a member of the International Year of Disabled Persons and spent 28 months in the Highland Drive Veteran Hospital and worked his way back to living outside in the community. We also have with us Bob Powers, and engineer, graduate of the University of Pittsburgh, one of our patients representing the Committee to Combat Huntington's Disease. We have with us Mr. Cannoni who is on our International Year of Disabled Person Committee, Mrs. Joyce

Richter, Vice President of the Huntington Disease Organization, Dave Engel who is also a member of our V.A.I.Y.D.P. Committee, Mrs. Ethel Givens who serves on our International Year Committee at Highland Drive and Kathy Sell also, who is the daughter of "Puddy" Sell who you know very well.

I would like to thank each of you individually, Mr. Flaherty, Mr. Givens, Mrs. Masloff, Mr. O'Malley, Mr. Robinson, Mr. Stone, and do I see Michelle? And Mr. DePasquale, we would like to thank you very much. We feel that the veteran group is a really special handicapped group because not only have they lost their health and their homes but they have also served their country and we do owe the veteran a lot. We wouldn't be here in our own safe country if it were not for these men.

I would like to turn the microphone over to Mr. Van Brakle to accept the proclamation if I may.

**Mr. Givens:**

On behalf of the Council of the City of Pittsburgh, and when I say Council I mean all eight Council people that we have presently serving on the Council of the City of Pittsburgh, they were all very instrumental, and I say that because anytime that we hire anybody in the Council office it takes all of the Councilpeople to approve of that particular person.

This resolution that I am presenting to you has been read by the Chief Clerk and it is now a part of the Municipal Record of the City of Pittsburgh for anyone to see from this day forward. Our Municipal Records go back as long as the City of Pittsburgh has been here and will go on as long as the City of Pittsburgh exists.

So on behalf of the Council of the City of Pittsburgh I present to you this resolution for the Year of the Handicapped.

**Mr. Van Brakles:**

On behalf of Highland Drive Veterans Hospital, I would like to say thank you, also on behalf of Mr. Cossu, Director of the Highland Drive Veterans Hospital as well as the International Year of Disabled Committee, thank you very much.

**Mr. Rusak:**

I want to thank the City Council for giving Bill Langston his job and I hope that you can find jobs for many more disabled persons. Thank you very much for having us up here today to see this room and how the Council works.

On my left if Jim Scarantino who has a few words to say.

**Mr. Scarantino:**

First of all I want to thank Richard here for coming up to the V.A., showing us wonderful times, going out, parties and thank all of City Council for having us here today. Thank you very much.

I have a presentation here from the VA Hospital and its Director, it is Certificate of Appreciation which reads:

"This certificate is awarded to the Members of City Council of the City of Pittsburgh, Pennsylvania by the Veterans Administration for your continued support and invaluable aid which has contributed immeasurably to the accomplishment of the mission of the Veterans Administration. Your cooperation in giving recognition to our many activities, providing job opportunities for our patients, as well as

supporting veterans of the Pittsburgh area is noteworthy and indicates a sensitivity to the needs of our veteran population. You have earned our gratitude in your commitment to the veterans affairs.

Carl Cossu, Director, VA Medical Center."

**Mr. Givens:**

Thank you very much Jimmy and we will give this to Mike Pery and he can hang it in the back conference room.

Jan, I believe Mel is going to sing a few songs.

**Ms. Scullion:**

Yes.

**Mr. Givens:**

Really, Mel doesn't need a micorphone, but we'll give him one anyway.

Mel Loughner sings "AMERICA THE BEAUTIFUL".

APPLAUSE

**Mr. Loughner:**

Thank you so much. And now a salute, a special salute to my fellow veterans honoring our International Year of the Disabled Persons. All my buddies, I sing one of the most beautiful songs to come out of the first World War, "My Buddy".

Mel Loughner sings "MY BUDDY".

APPLAUSE

**Mr. Givens:**

Mr. President, I don't think anything more can be said. I think these men have said it here today. They are just beautiful people and all of us have to appreciate the things that they have gone through in their lifetime and the unsurmountable obstacles which they had to overcome just to be here today. Thank you very much men.

**The Chair:**

Ladies and gentlemen, Janet, Mrs. Givens and all of you who were nice enough to come today, it has really been our pleasure and our treat that you came down, it was so nice of you and we hope that you can visit us more often. The little part we played today, I don't know how far it will go, but whatever effort we can lend to your cause, you know City Council will and again, thank you for coming.

## PRESENTATIONS

**Mr. Flaherty presented**

No. 3135 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings requesting interim approval of payment of \$4,000.00 to Westinghouse Electric Corporation for repairs and sservices to chiller in North Side Public Safety Center, to be payable from LB 80-09, Renovations, Various Public Buildings, Department of Lands and Buildings.

Which was read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 3136 Resolution providing for the issuance of a warrant in favor of Conn Construction Company in the amount of \$136,145.90 in payment for

Emergency Contract furnished for the benefit of the City in connection with the repairs to the Schenley Park and Panther Hollow Bridges; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3137 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$2,750.00 to Atwood and Bates Construction Company for extra work in connection with reconstruction of Forward/Murray/Pocusset Street intersection.

Which was read and referred to the Committee on Public Works.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3138 Resolution further amending Resolution No. 1229, approved

December 29, 1979, effective January 1, 1980, as amended, entitled, "Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program", by redefining the funding sources.

Also,

No. 3139 Resolution further amending Resolution No. 1216, approved 12/31/79, effective 12/31/79, as amended by Resolution No. 83, approved 8/19/80, effective 8/25/80, entitled, "A Resolution providing for Contract or Contracts for the Wood Street Bridge Reconstruction (PW 79-17) and providing for the payment of the costs thereof; and providing for Reimbursement Agreement/s with the Commonwealth of Pennsylvania Department of Transportation by decreasing the total project allocation by \$125,000.00.

Also,

No. 3140 Resolution further amending Resolution No. 1430, approved 12/29/80, effective 1/1/81, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, and repealing Resolution No. 206, approved February 26, 1981, effective 3-6-81, and repealing Resolution No. 330, approved April 10, 1981, effective April 16, 1981, entitled "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program", by redefining the funding sources and adding new line items.

Also,

No. 3141 Resolution amending Resolution No. 711, approved 8/1/80, effective 8/8/80, entitled "Providing for a Contract/s for the replacement of the Kirsopp Street for the payment of the

cost thereof", by increasing the total project allocation from \$500,000.00 to \$900,000.00.

Also,

No. 3142 Resolution providing for a Contract/s for the rehabilitation of the P. J. McArdle Bridge, Phase I - Demolition; and providing for the payment of the cost thereof, at a cost not to exceed \$933,500, payable from PW 80-14, McArdle Roadway Design and Rehabilitation.

Also,

No. 3143 Resolution providing for a contract/s for the furnishing and installation of Type 25 Guardrails at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof, at a cost not to exceed \$150,000.00, payable from PW 81-30, Miscellaneous Repairs to Streets and Structures.

Also,

No. 3144 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$7,051.00 to Montour Contracting Company, Inc., for extra work in connection with construction of Point Park Band Shell Foundation.

Also,

No. 3145 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$490.72 for garage door at Traffic Control Division, to be payable from Code Account No. 1643, Miscellaneous Services, Traffic Control Division, Department of Public Works.

Also,

No. 3146 Communication from Louis Gaetano, Director, Department of Public Works, requesting reimbursement of \$160.00 each to Messrs. McGee and Stofko for travel expenses incurred attending meeting with U.S. Department of Transportation, Washington, DC, regarding Bloomfield Bridge, payable from Code Account No. 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 3147 Resolution providing for the purchase, in settlement of condemnation, of a portion of property located in Lot and Block Number 9-A-162, the south side of Madison Avenue at River Road in the 23rd Ward of the City of Pittsburgh for \$2,500.00 plus proper closing expenses and providing for the payment thereof.

Also,

No. 3148 Resolution providing for the purchase, in settlement of condemnation, of a portion of property located in Lot and Block Number 7-F-107, at the intersection of Chateau Street and Ridge Avenue in the 21st Ward of the City of Pittsburgh for \$1,250.00 plus proper closing expenses and providing for the payment thereof.

Which were read and referred to the Committee on Lands and Buildings.

**Michelle Madoff presented**

No. 3149 Resolution providing for the issuance of a warrant in favor of M. DePasquale, Inc., 4740 Wallingford

Street, Pittsburgh, Pa 15213, in the amount of \$22,600.00, chargeable to and payable from C.A. WD-81-18, Purchase and Installation of Valves by Contract (4-05-25-0001-81).

Which was read and referred to the Committee on Finance.

**Mrs. Masloff presented**

No. 3150 Resolution transferring \$70,000.00 from the Department of Parks and Recreation, Bureau of Recreation, Code Account 1843, Senior Citizens Program to the Senior Citizens Program Trust Fund (SCPTF), Special Trust Fund #2.

Which was read and referred to the Committee on Finance.

Also,

No. 3151 Resolution providing for the letting of a contract or contracts for the furnishing and delivery of various play equipment for the Department of Parks and Recreation and for the payment thereof at a total cost not to exceed \$21,252.00 and charged to Account Number 4-10-15-008-81, Project Number PR 81-30.

Also,

No. 3152 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$400.00 for extra work in connection with the South Side Park Improvements, Project 78-PR-19.

Also,

No. 3153 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting

interim approval of payment of \$4,380.00 for extra work in connection with general construction contract for Westwood Pool.

Also,

No. 3154 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$500.00 for extra work in connection with Brookline Park and Pool Construction, Controller's Contract No. 24789.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley and Michelle Madoff presented**

No. 3155 Resolution directing the Executive Director of the Urban Redevelopment Authority (URA) to include with all proposed legislation for the acquisition of City-owned property a letter addressed to City Council containing information relative to the URA's plans for said property; and providing for up-dated time schedules of the Project Plan, and implementation of said plan within one year of the acquisition of said property.

Which was read and referred to the Committee on Planning, Housing and Development.

**Michelle Madoff:**

I would like to see an amendment -- I guess we can introduce it on a week from Wednesday, because we are getting information but it is most incomplete, it is just a lot of rhetoric to put us off, it doesn't really give us the kind of information we've been looking for. Who owns it? How you got it? Why isn't

someone else bidding on it? Why are you holding it? Some very specific information, and Mr. O'Malley and I will get together and make a list of specifics.

**Mr. Robinson presented**

No. 3156 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 7 by changing from "S-1"; "R2"; "R3" and "C1" to "AP" Planned Commercial-Residential Unit Development District certain properties in the Grandview Avenue vicinity generally between Cohasset Street and Sweetbriar Street, 19th Ward.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 3157 Resolution authorizing the transfer of Eighty-Five Thousand Six Hundred Thirty-One Dollars and Ninety-Nine Cents (\$85,631.99) from the 1980 Community Development Block Grant Program Trust Fund, Code Account CDHDS (HD 80-12), Project No. (4-15-10-0003-80-8-80-15) to Code Account, General Funds, City of Pittsburgh, for reimbursement of Salaries, Wages and Fringe Benefits paid to employees in support of the City's Community Development Block Grant Program.

Also,

No. 3158 Resolution authorizing the transfer of \$9,159.49 from the 1979 CDBG Program Trust Fund - CDCPS (Project No. 4-35-01-0001-79-49-75-35) and \$84,244.18 from the 1980 CDBG Program Trust Fund - CDCPS (Project No. 4-35-01-0001-80-49-80-35) to the General Fund of the City of Pittsburgh for reimbursement of salaries, wages and fringe benefits paid to employees in support of the City's CDBG Program (Aggregate sum of \$93,403.67).

Which were read and referred to the Committee on Finance.

Also,

No. 3159 Resolution providing for an Agreement or Agreements for professional auditing services in connection with the 1979 and 1980 Community Development Block Grant Program and providing for the payment and cost thereof not to exceed \$10,500.00 payable from 1980 CDBG Trust Fund, Department of City Planning (CDPA).

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 3160 Resolution providing for the issuance of a warrant to Ms. Maria Harris, c/o Ronald J. Bua, Esquire, Suite 803, The Bank Tower, 307 Fourth Avenue, Pittsburgh, PA 15222, in the amount of \$1,250.00 in full settlement of a lawsuit where in Ms. Harris claimed personal injuries and damages and providing for the payment thereof.

Also,

No. 3161 Resolution providing for an Agreement or Agreements with



Arthur Young & Co. for professional services in connection with Cost Schedule for submission to the Federal Government and providing for the payment of the cost thereof not to exceed \$18,000, payable from 1981 City Planning Administration Community Development.

Also,

No. 3162 Communication from Melanie Smith, Director, Department of Personnel and Civil Service Commission, requesting permission for Regina Hanna to attend Women in Apprenticeship Seminar, Pittsburgh, PA, May 18, 1981, at a cost not to exceed \$20.00, payable from the CETA Trust Fund, Federal Funds.

Also,

No. 3163 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of March 31, 1981.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 3164

Report of the Committee on Finance for May 6, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also with an affirmative recommendation,

Bill No. 3053

Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Lawrence J. O'Toole, Attorney at Law, in the amount of \$537.50 in payment for professional services rendered to the Council of the City of Pittsburgh without previous authority of law, chargeable to and payable from Code Account No. 1001-2, Services and Salaries of Council."

Which was read.

Also,

Bill No. 3054

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of R. C. Firsching Associates in the amounts of \$1,185.00, \$315.00, \$1,719.00, \$2,060.00, and \$465.00 totalling in the aggregate \$5,744.00 in payment for engineering services in connection with design, investigation, study, and recommendations on HVAC systems at various locations and providing for the payment thereof."

Which was read.

Also,

Bill No. 3055

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Damianos and Associates in the amounts of \$1,891.72 and \$860.73 totalling in the aggregate \$2,752.45 in payment for architectural/engineering services performed at the North Side Library/Theatre and providing for the payment thereof."

Which was read.

Also,

Bill No. 3061

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mosites Construction Company in the amount of Three Thousand Five Hundred Twenty (\$3,520.00) Dollars, in payment for 'Extra Work' furnished for the benefit of the City in connection with the rehabilitation of the Larimer Avenue Bridge; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3062

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sculli Brothers, Inc., in the amount of Two Hundred Thirty Nine Dollars and Fifty Five Cents (\$239.55), in payment for 'Additional Work' furnished for the benefit of the City in connection with the construction and/or reconstruction of catch basins at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3063

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mosites Construction Company in the amount of Four Thousand Six Hundred Ninety Two Dollars and Sixty Nine Cents (\$4,692.69) in payment for 'Extra Work' furnished for the benefit of the City in connection with the rehabilitation of the Stanwix Street Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3067

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Westinghouse Electric Corporation, Elevator Division, in the amount of \$659.20, in payment for work performed at Frick Park Nature Center, furnished for the benefit of the City without previous authority of law and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3068

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of West Penn Fleet Inc./Dollar Rent-A-Car, in the amount of \$1,340.00

in payment for the rental of vehicles for the Engineering Division of the Department of Parks and Recreation, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 3068, we are putting out \$1,340.00 in payment for the rental of vehicles for the Engineering Division, is that correct?

**Mr. Stone:**

Yes.

**Michelle Madoff:**

I have repeatedly asked that we buy some second hand cars, we don't turn in some cars, we have our own cars so we don't go out and spend this asinine money on rental. Hertz and one of the other companies sells their cars and guarantees them for three years, let's buy some cars and own them, let's not keep buying them over and over again by rentals.

**Mr. Stone:**

If they had the use for an automobile full time they would buy it.

**Michelle Madoff:**

Mr. Stone, we need a pool, and this has been discussed through government and the federal, state, county, city and every level of government in every city. Cars have accidents, they go in for service, we should not be renting, we should have a network of cars that we can use and they should not be ripped off as, we read this morning's paper, the federal government is.

**The Chair:**

Well, in all fairness, as far as renting cars, they maintain those cars, if we were to buy cars and maintain them it would cost more than to rent them Michelle.

**Michelle Madoff:**

Not true sir, it is much cheaper when we maintain them.

**Mr. Stone:**

She's saying that we ought to have a contingent fund of vehicles of \$1 Million in case one stops or some don't work.

**Michelle Madoff:**

I didn't say \$15 Million, did you say \$15 Million?

**Mr. Stone:**

Well, if you're going to have back-up for every vehicle --

**Michelle Madoff:**

I didn't say a back-up for every vehicle, that's what you said. I said there should be four or five or six cars so that when Mr. Perry's car is down and we can't use it for some important business, we could have that car available number one, number two, when we have three police cars down and we don't have police out on the street because we don't have any cars for the police to be in, we ought to have some cars -- I want to figure Mr. Perry -- what have we spent from every department on rental of cars to date this year and last year and the year before and you'll see, we could have bought some cars and we could have owned some cars very cheaply. May I have that figure please?

**Mr. Perry:**

Thank you.

**Michelle Madoff:**

I'm voting no on this bill because we'd better do something about it.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7      NOES 1  
(MICHELLE MADOFF VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3069

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Darnadell Enterprises, Inc. (Gateway Press Division), in the amount of \$1,477.50, in payment for the printing of Senior Citizens Newsletters, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3070

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Meyers Plumbing and Heating Supply Company in the amount of \$1,612.40 in payment for the purchase of plumbing supplies for emergency repairs at various locations furnished for the benefit of the City without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3083

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, Suite 419, The Bigelow, Pittsburgh, Pennsylvania 15219, in the amount of \$525.00 in payment for transcription done by a stenographic reporter of Trial Boards, without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale

(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3084

Resolution entitled, "Resolution transferring the sum of \$40,000 from the EMS Non-Resident Emergency Ambulance Service Trust Fund and the sum of \$15,000 from Code Account 1423, Equipment, Emergency Medical Services, as follows: \$55,000 to the 'EMS Equipment Project' Trust Fund."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3087

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Data Terminal Leasing Company in the amount of \$2,606.32 for the rental of Data Processing Terminals in connection with the operation of an automated Accounting and Reporting System for Capital Funds and Community Development Funds."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3088

Resolution entitled, "Resolution transferring the sum of \$1,090,366.50 from the following parent accounts: Account No. 4-01, Department of Public Works - \$1,028,965.87; Account No. 4-02, Department of Water - \$37,967.40; Account No. 4-25, Department of Land and Buildings - \$23,433.23, to the Department of Parks and Recreation Parent Account Number 4-10."

Which was read.

**Michelle Madoff:**

On Bill No. 3088, is that a repeal?

**Mr. Givens:**

Gee, we thought we were getting a break when you weren't here last Wednesday, Michelle.

**Michelle Madoff:**

You did get a break when I wasn't here last Wednesday, now you've got to pay for it.

**Mr. Givens:**

You've got to pay for it.

**Michelle Madoff:**

I don't mind sitting here doing the people's business, if you don't like it, there's the door.

**The Chair:**

She owns enough property to pay for it. She pays enough taxes, don't you Michelle?

**The Chair:**

Mr. Stone, are you studying it? Are you going to give her an answer?

**Michelle Madoff:**

I notice that they are taking money out of the Water Department and I'm a little bit confused, I want to know what its for before I vote on it. I think it is interesting that nobody knows, Mr. Stone is checking it out.

**Mr. Stone:**

Are you asking a question?

**Michelle Madoff:**

Yes I am, I think somebody might be able to answer it quickly.

**Mr. Stone:**

The money is from the bond sales we made and appropriating into the proper accounts so they can be distributed in accordance with the Capital Budget.

**Michelle Madoff:**

So this is just Capital Budget, okay, expenditures, but we haven't specified for specifically what, is that correct?

**Mr. Stone:**

I think you're listing in what they are, Michelle.

**Michelle Madoff:**

It says, we took \$37,967.41 out of Water and putting it where?

**Mr. Stone:**

The Department of Parks and Recreation, Parent Account Number 4-10.

**Michelle Madoff:**

For what? Why?

**Mr. Stone:**

Because in that account Parks and Recreation needs the money and we are moving the money in there so they can serve the purpose for which it was intended.

**Michelle Madoff:**

Do we get the money back?

**Mr. Stone:**

These are monies -- if I'm not mistaken there is an allied error with this thing, that they took monies from another area and they are just fixing it up, moving it back to that department; there was a previous shuffle of funds over and this is getting funds into this one that did not have it before.

**Michelle Madoff:**

Allright, the point I would like to make for my colleagues, is that if you -- we all understand that every week we get dozens and dozens of resolutions and ordinances and it is humanly impossible to remember and that is why we need a little more clarification.

Also,

Bill No. 3089

Resolution entitled, "Resolution temporarily transferring the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000.00) from Unrestricted Cash, Department of Public Works, to Unrestricted Cash, Department of City Treasurer."

Which was read.

**Michelle Madoff:**

On Bill No. 3089, Mr. Stone, Department of Treasurer, it says the money is to be refunded, is that correct?

**Mr. Stone:**

Which one?

**Michelle Madoff:**

3089. The sum transferred shall be

returned to the Department of Public Works, do we know that?

**Mr. Stone:**

They are borrowing money so that they can get a project going and later when they need money for the other project they will reverse the procedure.

**Michelle Madoff:**

Allright, you've set up a mechanism, if I understand correctly, for following up to see that that money comes back, is that correct?

**Mr. Stone:**

That's what we're doing.

**Michelle Madoff:**

Okay.

Also,

Bill No. 3090

Resolution entitled, "Resolution further amending Resolution No. 1589 of 1978, as amended by Resolution No. 1121 of 1979, Capital Budget, by providing for an additional appropriation of \$157,000 for Project No. 4-70-25-0010-79 (CT-79-01) Capital and Community Development Accounting Expenses, Department of City Treasurer."

Which was read.

**Michelle Madoff:**

On Bill No. 3090, I wonder if the Finance Chairman can answer a question. We have asked in the bills, that the City Clerk tell us what the item is. Now, it give us a number, its Capital and Community Development Accounting Expenses -- for what particular Capital

Community Development Accounting Expense are we talking about?

**Mr. Stone:**

Are you talking about Bill No. 3090?

**Michelle Madoff:**

Yes sir.

**Mr. Stone:**

That is relative to our computer analysis and audit for the fiscal management and audit system.

**Michelle Madoff:**

Does it say that in the bill? Have I missed it?

**Mr. Perry:**

"Capital and Community Development Accounting Expenses, Department of City Treasurer".

**Michelle Madoff:**

Oh, but it doesn't say that --

**Mr. Perry:**

"CT-79-01".

**Michelle Madoff:**

Yes, but 4-7-CT-09 -- I don't know what that is, I'm not a computer.

**Mr. Perry:**

That's a project number Michelle.

**Michelle Madoff:**

Allright but I'm not interested in the project number, I'm interested in

knowing if its for hula dancers or whether its for a computer.

**Mr. Perry:**

CT-79-01 is Capital and Community Development Accounting Expenses, Department of City Treasurer, on that bill.

**Michelle Madoff:**

Allright, is there any other items that that money could be used for within that account? That is my question. Mr. Stone answered it, he said it is for the computer, I want that in there, I want to know what I'm voting on, I don't want to vote in a vacuum.

**Mr. Perry:**

Michelle I don't even know what that is, how am I going to put it in there?

**Michelle Madoff:**

Well that's a sad story that you don't know, somebody ought to know. We vote without knowing and we should not be voting without knowing.

**Mr. Perry:**

That's why we have a project coordinator, Eddie Albert.

**Michelle Madoff:**

Well then maybe we ought to just revise the system slightly as we've done on Lands and Buildings and just itemize with two words -- computer -- hula dancers, whatever it happens to be. Okay? May I respectfully request that whoever provides that --

**Mr. Stone:**

I feel safe in saying none of the



monies in Bill No. 3090 will be used for hula dancers.

**Michelle Madoff:**

I'm glad to hear that. Mr. Albert would you be kind enough, I'd really appreciate it.

**Mrs. Masloff:**

Why are you against hula dancers?

**Mr. Stone:**

We don't want to take it out of this bill.

Also,

Bill No. 3091

Resolution entitled, "Resolution authorizing an Agreement or Agreements with a Data Processing Service Bureau in connection with the operation of an automated Accounting and Reporting System for Capital Funds and Community Development Funds."

Which was read.

Also,

Bill No. 3092

Resolution entitled, "Resolution providing for an Agreement or Agreements with Warner Cable Corporation of Pittsburgh to provide selection testing services and classroom training for fifteen (15) CETA participants for the position of Cable TV Service Technician and providing for the payment of the costs thereof."

Which was read.

**Michelle Madoff:**

Mr. President, I must apologize for not being here on Wednesday, I think a note was sent to you explaining why and I'll go into it after the meeting, I spent 12 hours, from 12:00 Noon to 12:00 Midnight on meetings on the solid waste problem with the BFI and Zappala people and I was absolutely depleted the next day, so there is some information I need clarified before I vote.

On Bill No. 3092, on the Warner Cable, it is my understanding that in this particular instance they guarantee to hire everybody that is trained, that passes the test, and they have screened them very thoroughly so we have the best people.

**Mrs. Masloff:**

Yes ma'am.

**Michelle Madoff:**

They were screened as well Sophie?

**Mrs. Masloff:**

Yes ma'am.

**Michelle Madoff:**

Okay, that takes care of that question.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens

Mr. O'Malley  
Mr. Robinson

Michelle Madoff      Mr. Stone  
Mrs. Masloff        Mr. DePasquale  
                         (Pres't)

AYES 8                NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3105

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Atwood and Bates Construction Company in the amount of Five Thousand Five Hundred (\$5,500.00) Dollars in payment for 'Extra Work' furnished for the benefit of the City in connection with the reconstruction of the intersection of Forward/Murray and Pocusset Street; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty        Mr. O'Malley  
Mr. Givens           Mr. Robinson  
Michelle Madoff     Mr. Stone  
Mrs. Masloff        Mr. DePasquale  
                         (Pres't)

AYES 8                NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bill passed finally.

**Mr. Givens presented**

Bill No. 3165

Report of the Committee on Public Works for May 6, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also,                with                an                affirmative  
recommendation,

Bill No. 3064

Resolution entitled, "Resolution amending Resolution No. 310, approved March 26, 1981, effective April 3, 1981, entitled, 'Providing for a contract or contracts for the construction and reconstruction of various Mt. Washington intersections and improvements at various locations, and other work incidental thereto; and providing for the payment of the cost thereof,' by redefining the funding sources."

Which was read.

Also,

Bill No. 3065

Resolution entitled, "Resolution further amending Resolution No. 812, approved August 19, 1980, effective August 25, 1980, as amended by Resolution No. 326, approved April 10, 1981, effective April 16, 1981, entitled, 'Providing for an Agreement or Agreements with a Consultant or Consultants for Consultant Services in connection with the surveying of Boundary Street; and providing for the payment of the cost thereof,' by redefining the funding sources."

Which was read.

Also,

Bill No. 3106

Resolution entitled, "Resolution further amending Resolution No. 474, approved June 21, 1976, effective July 2, 1976, as amended by Resolution No. 1045, approved December 31, 1976, as amended by Resolution No. 1148, approved November 25, 1977, as amended by Resolution No. 748, approved August 6, 1980, as amended by Resolution No. 1361, approved December 23, 1980, entitled, 'Authorizing the Urban Redevelopment Authority of Pittsburgh to act as the agent of the City of Pittsburgh in matters of property acquisition and relocation required for street rights-of-way which are federally assisted', by increasing the allocation from One Hundred Thousand (\$100,000.00) Dollars to Nine Hundred Thousand (\$900,000.00) Dollars."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Mr. Robinson presented

Bill No. 3166

Report of the Committee on Planning, Housing and Development for May 6, 1981 transmitting two ordinances and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 2569

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title NINE, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16 by changing from 'R4' Multiple-Family Residence District and 'C3' Commercial District to 'A1' Commercial-Residential Associated District all that certain property bounded by: Frankstown Avenue; Sterrett Street; Felicia Way and North Homewood Avenue, 13th Ward."

Which was read.

#### Mr. Robinson:

On Council Bill 2569 which specifically deals with the re-zoning in the Homewood Brushton area, I had asked to have that bill recommitted to Committee on order that we might get some more specific information from Reverend Simms of the Mayor's Office. Reverend Simms did send a memo on May 5, 1981 giving us some more specific details on the commercial redevelopment plans for that area. I would like to have a copy of his memo, along with the listing of the persons who serve on the task force, the revitalization task force. His letter does make some references to the issues that have been raised and also it makes reference to two reports that were done; one of those

reports which was completed by the Legal and Professional Services Corporation and submitted on November 4, 1980, does indicate some of the difficulties that Reverend Simms refers to relative to bringing people in the community together to finalize the plan.

Again, I want to bring this to Council's attention and have it made a part of the record because in 1978 the Mayor indicated at a public meeting that the Homewood-Brushton area was the number one priority as far as the neighborhood development program is concerned. There has been some difficulties in fulfilling that commitment but hopefully, our interest and the interest of this task force will bring that about in the near future.

**MEMORANDUM FROM JAMES E. SIMMS DATED MAY 5, 1981:**

To: William R. Robinson  
From: James E. Simms  
Date: May 5, 1981  
Subject: Homewood Business Plan

Enclosed please find the information regarding the Homewood Commercial Revitalization Plan: The Neighborhood Task Force report and recommendation, the Hamer, Siler & George report and the report prepared by the Legal and Professional Services Corp.

The Mayor's Neighborhood Commercial Revitalization Committee has been working to develop a development plan compatible to the recommendation included in various reports. Prior to the completion of the various reports we had requested a modification in the Homewood South Renewal Plan to allow us to initiate improvements to Homewood Avenue consistent with new development e.g.

construction of off-street parking lot at Homewood and Kelly, the acquisition of property adjacent to the CCAC facility, the modification of traffic patterns on Kelly Street, etc. We have also included the business district at Frankstown Avenue and Brushton into the facade grant program.

I am sure you are aware that Neighborhood Commercial Revitalization is a complex process in which there is no one quick solution. The best efforts of government must be consistent with neighborhood expectations and also depend a great deal on the willingness of private investors to "risk" in the community market area. It was our hope that the public investment by the three taxing bodies in the CCAC facility would signal confidence in the community to private investors thereby promoting new business development. The KFC venture is the most recent case in point.

If I can be of further assistance, feel free to contact me.

**TASK FORCE:**

Beverly White  
Wade Lipscomb  
Sara Trower  
Juanita McCarter  
Ruby Hord  
William Lee  
Mary Savage  
Wilson Allen  
Cortez G. Wade  
Jesse Lester  
Gloria Spearman  
Neil Dorsey  
Allen Williams  
Ruth White  
Lonnie & Helen Peay  
Stephen Pressley  
Ellen Wilson  
Bernice Crawley  
John Perry  
Norman R. Allen, Sr.

J. E. Nelson  
Willa Mae McKinley  
Richard Adams  
Sam Thompson  
Wilford Payne  
John Wallace  
Sara Jane Goode  
Edgar Conwell  
Lois Thomas  
Joann Richardson

**END OF MR. SIMMS MEMORANDUM  
DATED MAY 5, 1981.**

Also,

Bill No. 2953

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 7 by changing from 'C4' to 'AP' the Civic Arena and surrounding vacant land from 'R5-H' to 'C4' property located on the southwest corner of Crawford and Colwell Streets, 3rd Ward."

Which was read.

Also,

Bill No. 2954

Resolution entitled, "Resolution approving the amended proposal dated February, 1981, for redevelopment activities in Redevelopment Area No. 3 - Lower Hill, located in the Second and Third Wards of the City of Pittsburgh; approving Modification No. 5 to the Redevelopment Area Plan - Urban Renewal Plan; and making certain findings related thereto."

Which was read.

Also,

Bill No. 2955

Resolution entitled, "Resolution authorizing and directing the Mayor, the Director of the Department of Lands and Buildings, the Director of the Department of Public Works and the Director of the Department of Parks and Recreation, for and on behalf of the City of Pittsburgh to enter into a Fourth Amendatory Cooperation Agreement for the Lower Hill Project, Redevelopment Area No. 3, in the Second and Third Wards of the City of Pittsburgh, with the Urban Redevelopment Authority of Pittsburgh, further amending the Cooperation Agreement dated July 13, 1955, between the parties, as authorized by Ordinance No. 256, approved July 13, 1955, as amended by Ordinance Nos. 72 of 1957, 151 of 1962 and 444 of 1964 by changing paragraph numbers and exhibit designations as set forth in the amended proposal for the Lower Hill dated February, 1981 and providing further for the inclusion of Authority redevelopers and the Port Authority of Allegheny County as entities in the construction and dedication of streets in said Lower Hill Project."

Which was read.

Also,

Bill No. 2956

Resolution entitled, "Resolution approving the redevelopment contract, ground lease, and option for the lease of land for private redevelopment by and between the Urban Redevelopment Authority of Pittsburgh and DeBartolo Century Corporation for Parcel 2 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 3."

Which was read.

Also,

Bill No. 2957

Resolution entitled, "Resolution approving the first amendment to the Redevelopment Contract and the first amendment to the lease by and between the Urban Redevelopment Authority of Pittsburgh and the Public Auditorium Authority of Pittsburgh and Allegheny County for Block 2B, Lot 400 and Block 2C, Lot 400 in the Third Ward of the City of Pittsburgh in Redevelopment Area No. 3 and the sublease by and between the Public Auditorium Authority of Pittsburgh and Allegheny County and Civic Arena Corporation and authorizing the extension of the life of the Public Auditorium Authority of Pittsburgh and Allegheny County." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Givens:**

In Wednesday's session I had brought up the idea and the situation of some type of Capital fund for this particular agreement that we are entering into and the specific bill would be 2972, but 2972 ties in with really, another bill that is not here before us today, 2972, excuse me, is not here before us today, but 2957 is the appropriate bill that we discussed at the Wednesday session. My point is, I think this Council has to look a little bit ahead and into the future. If I can just read the one article out of here on repairs, maintenance and improvement, and the fact that the sub-lease, meaning CAC, "it shall maintain the area in substantially the same condition that it has been maintained prior to the date thereafter. Reasonable wear and tear and casualty loss to the extent that CAC shall not be obliged to repair or replace the same in pursuant to Section 5-1 thereof." Section 5-1 makes reference to, if there was a catastrophe within that particular building and it burned down, or major repairs, after one year, if the City

could not make repairs, then the convention group that is taking over would not be responsible or liable for that particular building and then it would revert right back to the City of Pittsburgh or to the County of Allegheny governments.

In Section 9-2, CAC --

**The Chair:**

Are we saying just in case of fire or flood.

**Mr. Givens:**

Yes, in the case of major disaster. "CAC shall not be obliged to maintain, repair or replace, shall have no responsibility with respect to defect conditions in item listed in Exhibit "1", or other defective conditions in existence on the date hereof which could not have been discovered by CAC upon reasonable inspection". And then they go into, collectively called, physical defects, again, CAC has the right to terminate this sub-lease which we are approving today. I would submit to the Public Auditorium Authority of the City of Pittsburgh, Bill Robinson being our representative there, that he take this back to the Authority and ask that something in the magnitude of 10¢ per ticket sold could be put into a capital trust fund to collect money there for major, either capital improvements, or major improvements due to defect. What is going to happen and surely will happen sometime in the future, is there are going to be major defects that are going to appear within that Civic Arena. The City of Pittsburgh taxpayers are going to have to pay for it. I feel, as always, that whoever are the users of anything in the City should be the payer and in this case, the people who are going to the Civic Arena will be surcharged a 10¢ fee or something to

that magnitude on each seat that is sold. Then, the people who are going there will pay for this particular capital trust fund. I would like to see someone, and I direct it to you Mr. President, maybe with Councilman Stone, to look at this and from this Council make a suggestion before this thing goes over to the County for then, final approval and then back to, I assume, the Auditorium Authority for final approval to enter into this sub-lease, knowing that the URA, the Board that I sit on, is the action agency to carry out this lease in behalf of the City of Pittsburgh.

I make that appeal, and I make that in the form of a motion. That a capital trust fund be set up in regards to this legislation presented here today, that the Public Auditorium Authority of Pittsburgh and Allegheny County and the Civic Arena Corporation.

**The Chair:**

I don't know if we can do that. What you're doing is amending the legislation, can we do that Vince?

**Parliamentarian:**

I can't answer that from the top of my head.

**Mr. Stone:**

You can't do it because the County and the City are in a joint venture here. Everybody is accepting the common terms.

**Michelle Madoff:**

What do you mean you can't do it? I mean if the County and the City agree, can't you do it? We don't want a repeat of what's happening with the Stadium now.

**Mr. Robinson:**

If I might, if Mr. Givens would be willing to change his motion to make it state that that is a recommendation —

**Mr. Givens:**

A recommendation. Excuse me. That is a recommendation Bill.

**Mr. Robinson:**

I think it is very well taken and I think that if something were to occur in the future, and this kind of contingency was not provided for there would be a lot of people saying I told you so, needlessly, and if it can be worked out I think it makes a lot of good sense.

**The Chair:**

I think we can work it out.

**Michelle Madoff:**

Why would you make it a recommendation instead of an amendment to the ordinance?

**The Chair:**

We can't do it legally, Michelle.

**Mr. Robinson:**

The point is well taken — if the other parties to this agreement are willing to sit down and negotiate this point, I am more than willing to make a motion to hold this bill until they can do so.

**Mr. Givens:**

No, I don't want to hold.

**Michelle Madoff:**

What if they're not?

**Mr. Robinson:**

If I might, please. I have not perceived any interest on the part of the parties negotiating, to indeed make the point that Mr. Givens raised, a point for negotiations. Perhaps if it is recommended, those persons who are in a position to look at this a second time, might decide that it is well worth their while to consider it and to do that prior to any formal agreement being signed.

**Michelle Madoff:**

Can we hold the bill a week?

**Mr. Givens:**

Mr. President, I don't think we have to —

**The Chair:**

I don't think it is anybody's intention to hold —

**Mr. Givens:**

I don't think we have to hold the bill, I think we — does it not go from here Mike, up to the County and then back to the authority?

**The Chair:**

You're saying no Dick, but you're putting restrictions on that we can't —

**Mr. Perry:**

The County has to agree to it.

**Mr. Givens:**

The County has to agree to it and then it must go back to the Public Auditorium Authority, right?

**The Chair:**

We're dealing with reasonable people there and I think if the recommendation is that serious a concern we can work it out, but you're going to have to vote on this legislation perse today. You can't amend it.

**Michelle Madoff:**

Why?

**Mr. Givens:**

No, I don't want to —

**The Chair:**

Because you've got an agreement, you can't amend something that somebody else agreed to. Who are you to amend it?

**Michelle Madoff:**

Yes can, we can —

**Mr. Givens:**

Mr. President, it was not my intent, nor will it be my intent and I will withdraw my motion, I do not want to hold this bill up.

**Michelle Madoff:**

Why not?

**The Chair:**

You are asking for a recommendation. Mr. Robinson will second it, and we will make the recommendation work strongly towards it.

**Mr. Givens:**

That is a motion on the floor



**Mr. Stone:**

Mr. President, as Finance Chairman I would be remiss if I didn't make a comment on these bills, numbers 2953 —

**Mr. Robinson:**

One moment please, there is still a motion on the floor. Can we move on the motion first?

**Michelle Madoff:**

I'd like to hear what Mr. Stone has to say before the recommendation is voted on.

**The Chair:**

Call the roll.

**Michelle Madoff:**

Question — Mr. Stone —

**The Chair:**

Roll call vote on the recommendation.

**Michelle Madoff:**

Point of personal preference, does Mr. Stone's statement have anything to do with —

**The Chair:**

Mr. Stone is talking about another matter.

**Michelle Madoff:**

Is it another matter Mr. Stone?

**The Chair:**

Is there any further discussion on

the motion for recommendation?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Givens	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6 NOES none  
(ONE ABSTAINING - MICHELLE  
MADOFF)

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Stone:**

Mr. President, if I may, as I indicated, as Finance Chairman, I would be remiss if I didn't make a couple of comments about the series of bills, 2953 through 2957. I think perhaps this body is caught in the gist of something, that is, we'd better act quickly before Mr. DeBartolo changes his mind.

At this present time, there is no public money going into this project. Secondly, Mr. DeBartolo is picking up \$800,000 a year in annual debt service, one half of that being ours. He is paying \$100,000 per year for the option on the Melody Tent Site and after that first term runs out he will be paying an additional 10% increase per year thereafter. In addition, he has agreed to maintain the Civic Arena and I might mention at this time, this is not the kind of maintenance that has been embroidered into the Three Rivers Stadium, maintenance here has to be done as a practical matter and that is

why the timing is important. We don't have the money to do it and he has the money to do it, and more appropriately, the kind of maintenance envisioned in this particular contract might more accurately and appropriately be labeled Capital Improvements.

At the present time, from what I have been able to ascertain, he'll have something like \$5 Million involved in it and nowhere does the Stadium Authority of this City of Pittsburgh or the County and this City combined, have \$5 Million extra to put into this particular program in 1981 and 1982.

In addition, he has already indicated, assuming that things work well, there will be a ring of parking tiers, namely about four floors all around it, adding the semblance of the planet Saturn, in addition there is to be additional developments which will also mean more revenue, more return to the City of Pittsburgh.

And last but not least, I would be remiss, being Finance Chairman, if I didn't wish him well once we turn it over to him, and hope that he gets a lot more patrons than we've gotten and I hope that he brings more things here which, as well, gives us some new sports activities which I understand he is contemplating, but more than that, I hope he fills the place, because we are sitting back with out amusement tax of 10%, which means we will get 10% of the gross of the ticket sales in that particular building. I think we should watch and be very cautious about attempting to get anymore when right now, we have an offer we cannot refuse.

**Michelle Madoff:**

Mr. Stone, from your experience as an attorney, having looked at both contracts, and I presume you have, the

Stadium contract and this contract with Mr. DeBartolo, do you feel that we could not run into a duplication of the problems that we are having now, because it seems to me, long before I was a political creature, involved in politics, the kind of rhetoric we were hearing was — by having the Stadium, even if it lost money, we were going to be bringing in a great deal of revenue to the City and it was going to be a great asset. Now, many years later, the people who voted on it are leaving it to the next generation to repair, or to come up with some kind of compromise. Is there any danger that that could be duplicated?

**Mr. Stone:**

There are two differences. The Pirates got a completed Stadium and DeBartolo is getting a Civic Arena which is obviously in disrepair and he is accepting maintenance responsibilities. How much more do we expect from an individual?

**Michelle Madoff:**

So what you are saying then, essentially, is that it is not the same situation. I do not wish to be an obstructionist, I just thought that Mr. Givens raised some good issues and if indeed we were going to be putting this burden on to our children, we ought to just think about it and I didn't think that a week made that much difference. If you feel that a week makes that much difference, then I am willing not to be an obstructionist and vote for it. Do you feel a week will make that much difference?

**Mr. Stone:**

There is no question in my mind that Mr. DeBartolo is doing us more of a favor than we are doing for him. I would like that very clearly brought out. He is

taking a Stadium which needs, right now, \$5 Million worth of repair and he is picking up that bill. We don't have the money to do it.

**The Chair:**

It needs it badly and it needs it right now.

**Mr. Stone:**

All that can happen without Mr. DeBartolo is for us to suffer more and more until we have to pick up that bill.

**The Chair:**

I think Michelle has to bear in mind and anybody else who is voting on this issue today, the Authority, and Bill Robinson will back me up on that, purposely withheld from any maintenance expenses and repairs knowing, or hoping that it was going to be taken over by Mr. DeBartolo. Therefore, there are a lot of expenses and maintenance up there that may have been taken care of in the last couple of years but they purposely held back once they started talking about negotiations and turning that over to a private enterprise.

**Mr. Stone:**

He has been extremely fair Mr. President, and I think his credibility, and from what I have gathered across the country in those places where he has been operating, he has been a man of his word and we in the City of Pittsburgh can be thankful that Mr. DeBartolo looked a little bit southeast toward Pittsburgh from Youngstown.

**Michelle Madoff:**

I think enough has been said on the subject.

Also,

**Bill No. 3085**

Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for city-wide housing counseling and housing information services to the City in carrying out its Community Development Program, and providing for the payment of the cost thereof."

Which was read.

Also,

**Bill No. 3086**

Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Housing Authority of the City of Pittsburgh at a cost not to exceed \$3,000,000.00, chargeable to and payable from the 1981 Community Development Block Grant Program Trust Fund, Department of Housing, HD-81-06 (4-15-03-0003-81-4-81-15); Local Share of Improvements in HACP Communities; Support of Modernization, Conversion and Demolition as Identified by the Needs Study."

Which was read.

**Mr. Robinson:**

On Bill No. 3086 which is the bill that specifically deals with the \$3 Million of Community Development Funds for the Housing Authority, I did request that Council receive a copy of the Needs Study that was utilized as justification for this particular request. Mr. Pietragallo, the Executive Director, did forward to us a copy of that Needs

study which indicates that he needs \$81 Million. I assume that the \$3 Million is a portion of the \$81 Million. Since we don't have \$81 Million to give him I guess we'll have to give him the \$3 Million. But I would like a copy of the cover letter that Mr. Pietragallo forwarded with that report made a part of the record.

One of the reasons I am asking for this is that, as many members of Council know, Housing Authorities across the country have been experiencing and are going to experience some rather severe tests in the funds coming from outside sources and I think that \$3 Million should be viewed as only a very small portion of what is needed, but also that the major improvements to be made to the Housing Authority probably cannot be financed with outside sources and I think that Council should be cognizant of that fact when we consider our 1982 Budget.

**LETTER FROM MR. DANIEL A. PIETRAGALLO DATED MAY 6, 1981:**

May 6, 1981

Mr. Michael A. Perry  
City Clerk  
c/o Pittsburgh City Council  
City-County Building  
Pittsburgh, PA 15219

Dear Mr. Perry:

As discussed, kindly find enclosed hereinafter the Housing Authority of the City of Pittsburgh's 5 Year Modernization Plan representing Capital Improvement needs in excess of \$81,000,000 (1979 dollar base).

As you may recall, the Authority has been working towards the correctin of physical improvement needs through utilization of Community Developmetn Block grant Funds and also HUD

Modernization funding. These funding sources represent our most viable means of addressing the critical problems described in subject report. An analysis of the Authority's Capital Improvement needs represented one of my first official acts after being appointed Executive Director at which time official at HUD and the City of Pittsburgh were formally notified of the severity of the Authority crisis; namely, that if immediate and constant attention be withheld much longer from the Authority's physical plant, the Authority would soon be characterized as slum landlords.

Furthermore, I also went on record by stating the following. "We do not have to debate then need. The problem is physical and can be inspected and costed. Accordingly, we feel confident about the work involved in the compilation of this report. We invite you to analyze this analysis and contact us for on-site inspection of the items noted for an intense review of our in-house work write ups and costing detail."

Through Community Development Block Grant and Modernization funds received to date, the Authority has been able to make a strong start in correcting the problems previously mentioned. However, if we as an agency are to continue in this effort, your support and cooperation is essential. Our request for Community Development funding for the year 1981 is in the amount of \$3,000,000. I trust that the enclosed report will assist your review of our request. However, if additional information is needed, just call.

Very truly yours,

Daniel aa. Pietragallo  
Executive Director  
Housing Authority of the  
City of Pittsburgh

Enclosure

**END OF MR. PIETRAGALLO'S LETTER  
DATED MAY 6, 1981.**

**The Chair:**

Is there any discussion on the bills?

**Mr. Givens:**

I vote aye on all bills with the recommendation that the Authority carry out the desires of this Council to form a Capital Trust Account.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

**AYES 8                      NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

**Bill No. 3167**

Report of the Committee on Parks and Recreation for May 6, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

**Bill No. 3071**

Resolution entitled, "Resolution repealing Resolution No. 248, effective March 23, 1981, entitled, 'Providing for the letting of a contract or contracts or the use of the existing contracts for the purchase or rental of equipment or services; or construction; or Agreements for the same, in connection with performances at Point State Park by the Pittsburgh Symphony; and providing for the payment of the cost thereof.'"

Which was read.

Also,

**Bill No. 3072**

Resolution entitled, "Resolution repealing Resolution no. 262, effective March 23, 1981, entitled, 'Authorizing a Sixth Amendatory Cooperation Agreement for the Manchester Redevelopment Project providing for the updating of financial arrangements.'"

Which was read.

Also,

**Bill No. 3073**

Resolution entitled, "Resolution further amending Resolution No. 987, effective August 31, 1978, as amended by Resolution no. 1271, effective November 6, 1978, entitled, 'Providing for a contract or contracts or the use of existing contracts for the construction of a gym and multipurpose addition to the Henry Kaufmann Neighborhood House, and providing for the payment of the cost thereof', by decreasing the authorization to the actual amount expended."

Which was read.

Also,

Bill No. 3074

Resolution entitled, "Resolution amending Resolution No. 94, effective February 28, 1980, entitled, 'Authorizing a Fifth Amendatory Cooperation Agreement for Manchester Redevelopment Project providing for the updating of financial arrangements' by increasing the authorization from \$95,000.00 to \$99,240.29."

Which was read.

Also,

Bill No. 3075

Resolution entitled, "Resolution amending Exhibit I of Resolution No. 1430, effective January 1, 1981, entitled, 'Resolution adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program' by increasing the funds for Project No. PR81-03, Project Code 4-10-01-1330-81, Point State Park Pittsburgh Symphony Orchestra Summer Stage Development; deleting the funds for Project No. PR81-07,, Project Code 4-10-01-1328-81, Mellon Square-Design for Rehabilitation; decreasing the funds for Project No. PR81-36, Project Code 4-10-15-1760-81, Engineering Service Contracts; and correcting several Project Code numbers."

Which was read.

Also,

Bill No. 3076

Resolution entitled, "Resolution providing for an agreement or agreements with Allegheny County

Institutional District in connection with the Federal Area Plan for Programs on Aging providing for payment and reimbursements to the City by the Allegheny County Institutional District for expenditures in connection with the Senior Citizens Program; providing for the payment of the City's share of the cost; and providing for the deposit of funds."

Which was read.

Also,

Bill No. 3077

Resolution entitled, "Resolution providing for an agreement or agreements with United Mental Health, Inc., to provide in-service training and in-service training programs for the Department of Parks and Recreation staff and providing for payment of costs thereof, which shall not exceed \$20,900, chargeable to and payable from Code Account 1801, Miscellaneous Services."

Which was read.

Also,

Bill No. 3078

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the construction of the restroom building at Quarry Field; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3123

Resolution entitled, "Resolution changing the name of Mission Street Field at Mission Street in the 16th Ward of the City of Pittsburgh to Herman 'Bandi'

Schaum Field."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 6 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 3168

Report of the Committee on Lands and Buildings for May 6, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3056

Resolution entitled, "Resolution providing for an Agreement or Agreements from time to time with various consultants including, but not limited to Construction, Mechanical, Electrical and Geo-Technical, in connection with Renovations to Various

Public Buildings and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3057

Resolution entitled, "Resolution further amending Resolution No. 282, effective April 18, 1980, as amended by Resolution No. 446, effective May 27, 1980, entitled, 'Providing for a contract or contracts in connection with construction for the replacement of No. 22 Engine Company, Arlington Avenue and providing for the payment of the costs thereof,' by reducing total cost not to exceed \$642,220.00."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 5 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

Mr. President, I want to brief those who thought it important enough to stay for this meeting, on a very, very serious and important item before this City. As I explained earlier, I was not here on Wednesday because on Tuesday I attended a meeting at 12:00 Noon with the downtown business owners, of the downtown businesses. Some 315 people were invited, they had a tremendous turn out. The subject under discussion was the creation of a steam heat plant that would sell its electricity to Duquesne Light, which is mandated under the new federal law, they have to purchase it at the minimum rate, and to try to incorporate into that the steam available for buildings such as the City County Building and the Court House which doesn't have the money to convert from steam heat to electricity or gas. There was a commitment made — the underwriters being Basch and Ray and Zappala, there was a commitment made immediately by Alcoa and by Gimbels and other sources, unfortunately there was a lot of hogwash put out by the gas company, who told one of the companies sitting next to me that they would give them a plant, install it and give them an \$80,000 savings every year, and I asked if they were willing to put that in writing and he said they were. I went to the gas company and asked if it were true and of course the gas company said, "You know Michelle, we can't put anything in writing". I brought that up publicly and I also brought up the fact that natural gas is anticipated and it was confirmed by Mr. Kay of BOMA, Richard Kay, that he has been following all the information on energy to go up at least 17% a year, probably 25% a year, they asked the gas company to come forward and they practically indicted themselves.

The plan is to go forward in any event, but to try to save when the subway is built, those downtown who are on gas and who will not be able to

convert, where the cost would be prohibitive not only in the capital investment but in the fact that natural gas is going to go out of sight in price. As a matter of fact, I am thinking of selling my home in Squirrel Hill, living in Squirrel Hill and buying a house that is all electric because I think the competitive price, using coal cleanly, ultimately, will be much more competitive.

Now, there is also a movement in Washington to make those large commercial and industrial users of gas, because it is a finite source, go to gas.

The reason I bring this all up is not only to brief you as head of the Subcommittee on Energy, and to explain why I wasn't here on Wednesday, but to bring up something very important and I am glad the media is here. We go around in this City — and incidentally, there are five people interested in buying the J & L site, that's what I want to talk about. There is Buncher, there is Gumberg, the City and I forget who the other two — I have the names somewhere, it is readily available. I think Connelly — I'm not just sure of the names of the companies. There is a big move to buy "a very valuable site". This City has a dire, dire, dire need for an integrated facility for our vehicles, for our City vehicles. We have property available but its not big enough anywhere. We've done studies, these studies have shown that we ought to go where Buncher is located. Buncher doesn't sell, he will lease it to us, we buy it year after year, we don't own it, we buy it over and over again. We have no tax credits, we're not a private entity. Right now we are paying outrageous monies and every year this comes up to Berger, Meyer Berger, friend of mine, supporter when I run for office, but you've got to tell it like it is. We use his facilities because we have nowhere else to go.



I want this City Council to consider condemning under blight and condemnation, the same damn way we did for PPG, because that property, you weren't afraid to walk through that PPG site, we're talking about better use of that property. I want to condemn the J & L site, turn it over to URA and let the URA decide what would be the best use. That doesn't mean ripping off J & L, because there are five investors making offers, coming up with an evaluation of a fair market price, but the first person who would get the use of this site would be the City for its integrated plant, for its integrated plant for a car vehicle, and if indeed, we get so lucky, because let me tell you what the problems are with the steam heat plant. The first meeting, as I said, was with the owners of the buildings to try to keep them as part of the project, but they were not vital to the project. The second one was that Larry Yatch, who in charge of the garbage department, refuse department, did not know what the tipping fee was going to be in 1985, he thought they were talking about a \$13.00 tipping fee in 1981. We were talking about the fact that there may not even be sites, landfills, accessible at a reasonable dollar fee in 1985, so they had a very big meeting that took place at 3:15 p.m., the first meeting was from 12:00 Noon until 2:45 p.m., the second meeting went from 3:15 p.m. to 5:30 p.m., and the last meeting was with all the boroughs and townships to see if they would indeed contribute their refuse so we could have this plant on a large scale and that went from 6:30 p.m. to midnight, so again, I apologize for not being here Wednesday, but I was wiped out.

But the important thing is that if the Zappala's -- the underwriters are saying, "We can't take that risk" and they are saying to BFI, "You have the bucks, you take the risk", and BFI is saying and

rightfully, "We don't know, we haven't got a commitment of the garbage, we haven't got a commitment from the City which is the anchor of enough refuse to make the project go", there is not a commitment, and Mr. Givens probably knows a lot more about it than I do because he studied this long before I got to Council, although I have been interested for some years and through GRIP and GASP, in having solid waste to garbage. It is a tremendous project, this is the only logical way. In Europe, as a matter of fact, as members of Council we will be invited to look at plants in Switzerland and in Dusseldorf that are not alcastench, they do not smell, they are aesthetically attractive, apartment houses are built next to them, it is a viable way to keep energy at a fixed rate.

But that isn't what I'm talking about, that is private industry, it will be a wholly owned subsidiary, it will be a building or facility owned by the independent owners, it will not be out for bid, it will be owned by the people who have the buildings. What I'm talking about is the City needs an interval fleet, let's condemn that property under blight and condemnation, if its good enough to do for PPG, then its good enough to do for our own City fleet. Now, I was going to introduce an ordinance to that effect but I wanted to brief Council on what was happening and I would like Mr. Al D'Alessandro to see that he follows through and that ordinance is prepared for Monday.

#### **Mr. Givens:**

Mr. President, I'm sure all of us, and I know you Mr. President, have been looking into this and we have asked that we have a study commission on it, if you can recall, several years back, I think all of Council has been very interested in this and there are some obstacles and the

state of the art was something that everyone was looking at and the plans that you had gone and looked at up in Boston, the ones that were in down in Baltimore, I've looked at a couple down in Texas and out California way, I think the technology has improved and as far as what Michelle is talking about right now, for the City of Pittsburgh to try to purchase the whole J & L site, we'd better be able to hit the people in their tax — URA can't — you might be able to condemn, but you have to be able to buy, and I don't think we have enough money in our Treasury, or do we want to tax the people of the City of Pittsburgh anymore than what we have in the past.

#### **The Chair:**

The problem is, I don't know if we can do it through condemnation, and I agree with Michelle 100%, J & L is probably going to try to hold them up, knowing that it is a valuable piece of property and somebody else wants it. They have no use for it anymore, so obviously they are sitting back like the cat that swallowed the mouse. So perhaps we should explore the opportunity of maybe condemning it and bring them to their knees because —

#### **Mr. Givens:**

Its on the chopping block for sale and I'm sure most of the physical plant will be taken down —

#### **The Chair:**

Don't forget they have just recently unemployed about 3,000 people from that area, so they are not that concerned about Pittsburgh as far as I'm concerned.

#### **Michelle Madoff:**

Now Mr. DePasquale and Mr.

Givens, what I am suggesting, so you will understand, and we will not have any misunderstandings, I don't want to get into a situation where I am interfering, and there is a legal term for it and I don't know the term, for the buying of properties —

#### **Mr. Givens:**

Well, when you use the right of eminent domain, you are talking about interference.

#### **Michelle Madoff:**

No, I'm talking about the interference legally, when you interfere with people buying property or affecting the purchase of property. The people who are offering to buy the properties have developers. There are more people to go in and put things in. The City is not going to take any risk. That is prime, prime property. If it is good enough to do for PPG, it is good enough to do for something that we need desperately for this City, which is an integrated plant, and if it is God's will and if it works out that we have a steam plant next to it, or a waste heap plant, then of course, the vehicles would automatically have washed off everyday —

#### **Mr. Givens:**

Michelle, I'm very concerned about putting any type of a plant inside the confines of the City of Pittsburgh.

#### **Michelle Madoff:**

Where would you like to put it?

#### **Mr. Givens:**

You know as well as I do, to put a plant in, the type that they need, economically based, it must receive the

refuse from most of the surrounding 130 some communities of Allegheny County.

**Michelle Madoff:**

Not true.

**Mr. Givens:**

It doesn't necessarily have to be in the City of Pittsburgh.

**Michelle Madoff:**

First of all, the City of Pittsburgh is the anchor client, we produce the most volume. If we don't go, nobody goes. There are some communities that don't need this because they are getting the refuse hauled inexpensively, you are not up to date Dick, with all due respect, I have been living and breathing it everyday, and its like everything else, you've got to stay a little more current.

**Mr. Givens:**

Well, Mr. President, I think that the people in that particular neighborhood and in the hills above, have been smelling something that --

**Michelle Madoff:**

I just said it was odorless, I'm an environmentalist, remember me, Mrs. GASP?

**Mr. Givens:**

Odorless doesn't mean a damn thing to me when all kind of ash is falling on my car and on my person --

**Michelle Madoff:**

You don't get ash, it is complete combustion.

**The Chair:**

You're going to have a lot of problems with people out there, anywhere in the City. Anywhere in the City where you try to locate, you're going to have problems.

**Michelle Madoff:**

We'll take Mr. Givens over and we'll show him the plant and if it doesn't meet with his approval --

**Mr. Givens:**

Nobody takes me, I go by myself.

**Michelle Madoff:**

If he disapproves of it then he can vote against it. But the issue is not the steam heat plant, the issue is, we need an integrated, central facility for our City fleet, to maintain our trucks, our heavy equipment, our police vehicles, our paramedic vehicles, and to maintain our garbage trucks. That is the perfect location and damn it let's go ahead and let's condemn that property, if we can do it for PPG, we can do it here. I'm sorry that our members of Council don't think --

**Mr. Givens:**

Well, Mr. President, as the Chairman of this particular committee, Supplies, which has the responsibility for looking out for this, there are several sites in the City of Pittsburgh that we are looking at presently. I am aware of them, I have been aware of them, I think the City has to negotiate in good faith, I don't use condemnation for anything, anyplace in this City, without very good scrutiny and I still hold to that and I think this Council does. Only once did we use it in such a way, and that was for the redevelopment of that particular area. We have another plan, now coming before us. The first time that we had a

major redevelopment in the City and it happens to be within the last couple of years, but that redevelopment has to be looked at very judiciously to make sure that everyone who has property or has buildings within that particular geographical area, that they are not hurt. Be it J & L, be it the people down the street here, in Market Square, be it the people up in the eastern part of the East Liberty area of the City of Pittsburgh that is coming in for future development. Very judiciously we must look at that. I think the City is progressing, it is something that doesn't come over night and as a result I think their right to the tip right now, of securing certain properties for the City garage --

**Michelle Madoff:**

And you know one of them is the J & L site.

**Mr. Givens:**

I have made my feelings, that the City will build a garage, will own the land and will own the building that the garage is put up on. That is my personal feeling, I have conveyed that to the Administration.

**Michelle Madoff:**

I will tell you that if we come back with another site that becomes far more costly, not as good, creating traffic -- and I mean, we're going to a steel mill now, where the traffic goes anywhere to a minimal, and that is the most logical place to be bringing garbage trucks, it causes the least amount of traffic. We are already considering that as a site. If we don't take some action and we lose that site and we go to somewhere that costs us a lot of money --

**Mr. Givens:**

We will not lose it Michelle, we've already got our bid in for it.

**Michelle Madoff:**

Sure, we have our bid in through another --

**Mr. Givens:**

Trust me. Trust me Michelle.

**Michelle Madoff:**

I don't trust anybody.

**Mr. Givens:**

Trust me.

**Michelle Madoff:**

That bid is in through another developer. We also need to combine this with the solid waste plant, here is an opportunity to do it.

**Mr. O'Malley** moved to approve the minutes of Monday, April 27, 1981 and Monday, May 4, 1981.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mr. O'Malley**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, MAY 18, 1981

No. 20

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAE**...Ass't City Clerk

Pittsburgh, PA  
Monday, May 18, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Flaherty presented**

No. 3170 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings, requesting further amendment of Bill

Nos. 3130 and 3332 of 1979, relating to work to relieve distressed earth condition at Royal Street, by reducing amount payable from the 1978 Community Development Block Grant Fund, Unspecified Local Options from \$220,500.00 to \$162,407.24. All work in connection with this project has been completed, amendment is to reflect actual cost.

Which was read and referred to the Committee on Lands and Buildings.

**Michelle Madoff for Mr. Givens presented**

No. 3171 Resolution authorizing the issuance of a warrant in favor of West Penn Oil Company in the amount of \$401.99 in payment for automotive parts for the City Gas Tanker Truck furnished to the City of Pittsburgh without previous authority of law, chargeable to and payable from Code Account 1148, Automotive Parts, Department of Supplies.

Which was read and referred to the Committee on Finance.

Also,

No. 3172 Resolution taking, appropriating and condemning by the City of Pittsburgh, for public walkway easement purposes, certain property of Tri-Point, Inc., c/o Frank J. Nascone, Merrit Corporation, Club Floor, William Penn Hotel, situated on the northern side of Carson Street at the Duquesne Incline in the 19th Ward of the City of

Pittsburgh.

Also,

No. 3173 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Brother Richard Emenecker, F.S.C., Superintendent, Bureau of Cable Communications, to attend National Federation of Local Cable Programmers Conference, Atlanta, GA, July 9-12, 1981, at a cost not to exceed \$675.00, payable from Code Account No. 1661, Miscellaneous Services. Department of Public Works.

Also,

No. 3174 Petition from the residents of the 11th Ward of the City of Pittsburgh requesting a stop light to be installed at the corner of Bryant Street and Negley Avenue.

Which were severally read and referred to the Committee on Public Works.

#### **Mitchell Madoff presented**

3175 Resolution repealing Resolution No. 165, approved 2/13/81, effective 2/24/81, entitled, "Resolution adopting the 1979 Capital Budget by increasing WD-79-03, Water Line Protection, 60" Lowrie Street, Repair Bin Wall and decreasing WD-79-06, 12" Line Boundary Street, Repair."

Which was read and referred to the Committee on Water.

#### **Mrs. Masloff presented**

No. 3176 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Kenneth Lindsey to attend

Pennsylvania Special Olympics State Championship Games, Westchester, PA, June 3-5, 1981, at a cost not to exceed \$35.00, payable from Code Account No. 1801, Miscellaneous Services, Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 3177 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for Captain Hitchings to attend Interagency Committee on Arson Meeting, Harrisburg, PA, June 4, 1981, at a cost not to exceed \$250.00, payable from Code Account No. 1463-1, Educational and Traveling Expenses, Department of Fire.

Also,

No. 3178 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for Deputy Chief Harpur and Captain Somma, to attend Code Development and Educational Officials and Code Administrators International, Inc., Conference, Hartford, Connecticut, June 21-27, 1981, at a cost not to exceed \$800 per person, payable from Code Account No. 1463-1, Educational and Travel Expenses, Department of Fire.

Which were read and referred to the Committee on Public Safety.

#### **Mr. Robinson presented**

No. 3179 Resolution amending Resolution No. 1420 of 1980, providing for application with HUD for grant in connection with 1981 Community Development Block Grant Program,

decreasing basic amount from \$28,860,000.00 to \$24,957,000.00, reducing various line items, and adjusting line item numbers to correspond with Capital Budget, and transferring certain projects of the Department of City Planning; and adding Salaries to certain line items indicated therein.

Also,

No. 3180 Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended, by decreasing line item HD-78-02, "Weatherizing Homes in Pittsburgh", from \$255,000 to \$251,890.87 and further by increasing line item HD-78-13, "Housing Department Administration", from \$255,000 to \$258,209.13, etc.

Also,

No. 3181 Resolution amending Resolution No. 695, approved 8/7/79, providing for a periodic transfer of amounts not to exceed the aggregate sum of One Hundred Thousand Dollars (\$100,000.00) from the 1978 Community Development Block Grant Program Trust Fund (HD-78-02), Weatherizing Homes in Pittsburgh, Salaries, to the CETA T6 Trust Fund, Federal Funds, to pay for Wages and Fringe Benefits to CETA enrollees in the WHIP Program by reducing the total amount authorized to Ninety-Six Thousand Seven Hundred Ninety Dollars and Eighty-Seven Cents (\$96,790.87).

Also,

No. 3182 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission to attend Interstate Highway Task Force Committee Meeting, Washington, DC, June 9-10, 1981, at a cost not to exceed \$220.00, payable from Code Account No. 1103, Miscellaneous Services,

Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing & Development.

#### **Mr. Stone presented**

No. 3183 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article XI, Chapter 181, Section 181.05, by increasing the out of town daily meal allowance to Thirty Five Dollars (\$35.00) or the amount specified through collective bargaining.

Also,

No. 3184 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer to attend the U.S. Conference of Mayors Annual Conference, Louisville, KY, June 13-17, 1981, at a cost not to exceed \$800.00, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 3185 Communication from Ronald Schmeiser, City Treasurer, submitting a Report of Deposits and Market Value of Collateral Security pledged by City Depositories to secure same as of April 30, 1981.

Which were read and referred to the Committee on Finance.

#### **REPORTS OF COMMITTEES**

##### **Mr. Stone presented**

Bill No. 3186

Report of the Committee on Finance for May 13, 1981, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3098

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Elevator Company, in the amount of \$9,104.50 in payment for extra work furnished for the benefit of the City in connection with modernization of Elevator "H" to comply with regulations of the State Department of Labor & Industry and providing for the payment thereof."

Which was read.

Also,

Bill No. 3109

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Perkin-Elmer Corporation, Citibank NA-WCGSM, Sort 2539, New York, N.Y. 10043, in the amount of \$770.00 in payment for repairs to an Atomic Absorption Spectrophotometer furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3110

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of 'The General Fund' (MNO) in the amount of \$108,371.01, as reimbursement for monies inadvertently deposited in 'Young Adult Conservation Corporation Project Trust Fund.' This payment to be chargeable to and payable from the 'Young Adult Conservation

Corporation Project Trust Fund,' Pittsburgh National Bank Special Trust Fund Number Two."

Which was read.

Also,

Bill No. 3124

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Inforex, Inc., in the amount of \$7,000.00 for the emergency and sole source purchase of data entry services furnished to the City Information Systems Division of the Mayor's Office without previous authority of law."

Which was read.

Also,

Bill No. 3125

Resolution entitled, "Resolution providing for the issuance of \$2,275.00 warrant in favor of Olive Marie Obel in payment of claim for property damage."

Which was read.

Also,

Bill No. 3126

Resolution entitled, "Resolution providing for the issuance of a \$1,023.33 warrant in favor of Motors Insurance Corporation and L.M.V. Leasing in payment of claim for automobile damage."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills



pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3127

An Ordinance entitled, "An Ordinance re-enacting Chapter 265 of the Pittsburgh Code, Title 2, Fiscal, Article IX, Property Taxes, as amended, providing for a temporary exemption from taxation for certain improvements to deteriorated dwellings and on residential construction pursuant to Act 42 of 1977, effective as of January 1, 1981; and amending Section 265.10 thereof by deleting the original sunset provision."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff      Mr. Robinson

Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3136

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conn Construction Co., in the amount of One Hundred Thirty Six Thousand One Hundred Forty Five Dollars and Ninety Cents (\$136,145.90) in payment for an Emergency Contract furnished for the benefit of the City in connection with the repairs to the Schenley Park and Panther Hollow Bridges; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 6                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bills passed finally.

**Mr. Robinson presented**

Bill No. 3187

Report of the Committee on Planning, Housing & Development for May 13, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an **AFFIRMATIVE RECOMMENDATION**,

Bill No. 2788

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Eight, Fire Prevention and Title Ten, Building, by adopting a new Title Eight, Fire Prevention and a new Title Ten, Building."

Which was read.

**Michelle Madoff:**

Mr. President, Bill No. 2788 was the one you and I were somewhat confused on and asked for clarification the other day, because it was both your understanding and my understanding that prior, Council had decided that we would not mandate fire alarms in private homes, that "Big Brother" wouldn't enter and violate the privacy and sanctuary of somebody's home, but that on all new buildings or any buildings where people rented to someone, therefore they were landlords, we would mandate that, and only when a building needed a permit to build on, something of any magnitude, would they require —

**The Chair:**

Michelle, who slipped in the existing private homes?

**Michelle Madoff:**

Well, that's what I wanted to discuss. My understanding the other day —

**The Chair:**

It was to cover existing apartments and new homes and new apartments.

**Michelle Madoff:**

It was the BOCA —

**The Chair:**

Not existing private homes. Now all of a sudden every home in the City of Pittsburgh, every building in the City of Pittsburgh has to have some sort or fire —

**Michelle Madoff:**

Well you and I asked that question of Mr. Imhoff and he stated, and you may recall, if you go back and look at the records, the records will reflect that Mr. Imhoff is leading the charge against having it in private homes. He said we can't violate people's privacy and it has been sort of the position. Now, I've had a tremendous amount of pressure, pro and con. I would say more against. As a matter of fact, I got a call from a editorial manager of a news station who said they are going to do an editorial, very strongly opposed to our position, because they feel again, that "Big Brother" should not be invading the sanctuary of the home. I had already taped for the show and I believe I am going to do the show for them Wednesday night. My position at the time was we make people take vaccination for smallpox, or for measles, why shouldn't we make them put in an inexpensive fire

protector to protect lives, and his argument was, "Well, at least you are spreading measles in the school, so therefore you are giving it to somebody else". I have since learned, and I don't know what you call it, but may be Mr. Stone could help me, because I think he is probably most experienced in the building, or maybe somebody else might know — in bathrooms today, it is mandatory that you put a gizmo in so you can't get electrocuted. I just had my bathroom remodeled and I didn't know why they put it in, it is the law. Did you know on all new homes in the County, it is the law that you put backflow protectors in, so why shouldn't it be the law to save lives? And I would argue that that is the position that I would take and even though I have had a lot of pressure and I agree that it is not the position of Council, particularly if it was an expensive item, putting a lot of hardship on people to force, you know, "Big Brother", and the right to go into the home and I guess enforcement is going to be very difficult. I raised that issue before as to how are you going to do it, suggested we do it like they do our — a random kind of inspection, but I think I am — I am going to vote yes on the bill, but I just thought there has been a lot of opposition on that and what has transpired and I am sure if I have had pressure in my office, others have heard in their offices.

**Mr. Flaherty:**

I have a question, is there going to be a charge for a permit of any kind to install —

**The Chair:**

I'm glad you brought that up Tom, because somebody, I think, wrote a letter to me or at least to the Mayor —

**Michelle Madoff:**

Dawida.

**The Chair:**

Yes Dawida, that they were assessing the people so much a year and that is a known fact.

**Michelle Madoff:**

Wasn't that burglar alarms? That was the burglar alarms. That was the burglar alarm bill.

**The Chair:**

So it could hold true of the fire alarms?

**Michelle Madoff:**

No, because that was the bill where you have to have a permit, we're going to modify that for homes, we'll modify that. That is also my bill.

**The Chair:**

I think the answer to that question is probably yes.

**Michelle Madoff:**

Probably no.

**Mr. Robinson:**

Mr. President, I think one of the difficulties with the Code, particularly as it relates to the issue of the alarms or the smoke detectors in existing homes, centers around the fact that the BOCA Code itself, as a model, recommends that their be smoke detectors in all single family dwellings, because the statistics indicate that that is where most of the fires are and most of the deaths. I think it is very consistent for the Board of Code Review to recommend to us that we make that requirement. I

think if indeed, Council feels that either that portion of the Code is going to be unenforceable or financially burdensome on the general population, I think we should be responsible enough to delete it, but I do not think we should do that without full recognition that most of the fires and most of the deaths occur in single family homes. The people who put together the BOCA Code are proceeding on the assumption that by putting these smoke detectors into homes, single family homes, that you are going to prevent the fires and you are going to prevent the deaths. I'm not quite sure that that is true, but I think this provision was put in to be consistent and I would hope that if Council felt that it is too burdensome or something that we feel is unnecessary, that we simply would delete it without diminishing the real significance of why it is in there.

#### **Michelle Madoff:**

May I comment Mr. President? I think the change of heart that came about with Mr. Imhoff and with the BOCA people, the people who were amending the BOCA Code, was that there was a poor family, not a family that had a lot of money, as a matter of fact it was a minority family, where the mother and children were burned alive and it was proven, it was a fact in the investigation, that the only reason they burned alive is that it was in the middle of the night and there was no smoke alarm to alert them to get out. Had there been an alarm they would have left the building. And I think that we have a responsibility to provide that it is mandatory to have the alarm in homes, even though we may be infringing, with the concept that I would hope that in some point in the next year's budget, we would provide for those in need, maybe through foundations, I have been after Melanie Smith, I have offered a million times to work with them on foundation

money. I would be willing to put all kinds of money down, that foundations would make money available for the less fortunate to perhaps help subsidize smoke alarms for people who are very, very poor and just couldn't afford them. Or maybe there would be some state funding, we have money for people who can't pay their utility bills. Something could be worked out through our legislators. But we are not talking about a lot of money, and we are talking about lives, and as Mr. Robinson pointed out, the greatest number of deaths occur in private homes. By far. By a factor of like 50 or 100.

#### **The Chair:**

I was ready myself to vote against the bill, with the exception, I thought of what you said and what Mr. Robinson said, you know, it is mandatory for vaccinations, in regards to diptheria and smallpox and it has saved a lot of lives and there are a lot of people no doubt, who wouldn't have had it done because they didn't really have to have it done, I think it is done for nothing in schools, if I remember, and you practically have to force it on some people, at the same time, it has eradicated those two diseases, so in the long run, as Mr. Robinson said, that the majority of fires are there and they continue to be there for whatever reasons, then it would best to pass the bill I would think.

#### **Michelle Madoff:**

Mr. President, there are many things that we put in our homes today, when we construct our homes, and of course we are talking about new homes, but even on the older homes, in the County Code, you had to have a backflow protector. Now you have to have some gizmo in your —they cost us money. They cost us money.

**The Chair:**

On the one of the safety measure in the bathrooms, in regards to being electrocuted —

**Michelle Madoff:**

You have to pay for it.

**The Chair:**

Only in the new ones. I mean, how do you go about acquiring them for existing structures?

**Michelle Madoff:**

True, but what I am saying is that there are certain things that are life protecting.

**The Chair:**

A kid steps out there in a puddle of water and boom.

Also,

Bill No. 3116

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)9 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Chatham College for permission to install a paved parking area for 15 automobiles on property zoned 'R4' Multiple-Family Residence District located on Woodland Road adjacent to the Benedum Women's Residence, 14th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**The Chair:**

If I recall Bill No. 2788 has been going on for two years and it has finally passed.

ALSO, with a **NEGATIVE RECOMMENDATION,**

Bill No. 3117

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) A 41 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993, to Ellwest Stereo Theatres, Inc., for use of a portion of the first floor of the existig building as an adult mini theatre on property located in the 'C5-A' Golden Triangle District Class 'A' known as 228 Forbes Avenue and identified as Block 1-H, Lot 205 in the Allegheny County Block and Lot System, 1st Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Robinson:**

Mr. President, on Council Bill 3117, I would like the Parliamentarian to give us some clarification as to how we vote on this if we are for or against.

**Mr. Stone:**

We are voting either for or against the bill, so we don't confuse the vote.

**Parliamentarian:**

If you are in favor of the bill you vote yes, if you are opposed to the bill you vote no.

**Michelle Madoff:**

I am abstaining and I would like my comments from Wednesday's meeting brought forward, on the First Amendment.

**MICHELLE MADOFF'S COMMENTS ON  
BILL NO. 3117 FROM THE MEETING OF  
WEDNESDAY, MAY 13, 1981:**

**Michelle Madoff:**

It has been my position on any pornographic bill that we do not assert the First Amendment and we do it in a logical manner through zoning, and this is a zoning issue, is that correct; so the way you get it out of there is to zone it out of existence?

Could the record reflect that — I believe I speak for myself and, I believe, for others — that it is not that we are condoning and that we want it, but we would like to do it in a legal fashion, in a zoning method as opposed to infringing on the First Amendment.

**END - MICHELLE MADOFF'S  
COMMENTS ON BILL NO. 3117, 5/13/81.**

**The Chair:**

If I may, and somebody correct me if I am wrong, didn't we pass an ordinance a couple of years or so ago that no new adult pornographic theaters could be put into the areas — existing theaters are something else, no new theaters could be installed?

**Mr. Robinson:**

Right. This is an extension of an existing facility. That's all.

**Mr. Stone:**

It is a more narrow issue today.

**Mr. Robinson:**

Its already there.

**Michelle Madoff:**

Mr. President, as Mr. Robinson pointed out the other day, they probably will be able to do it anyway, the courts will overrule us in that we infringe on the First Amendment. I feel that the position of this Council has been, I believe, supportive in zoning these places out of — getting them out by zoning them out of existence, such as the Heinz Foundation buying up a number of porno parlors, they are going to be putting senior citizens and condominiums in, etcetera. As a matter of fact, they are being kidded about it all the time. I think that is the way to go and I don't think we should be offering support and the reason I am abstaining is simply because I don't want to infringe on the First Amendment, on the other hand I don't want to say yes, I think we ought to have that kind of garbage in that area when we are trying to develop a Renaissance II downtown.

**Mr. Robinson:**

Mr. President, if I might, over the last few years I have been a strong advocate of supporting First Amendment rights, but I think in this particular instance, it is rather obvious that both this Council and the Administration have expressed their concern that these types of operations not expand in our City and that we get no new ones. I think it is only consistent at this point for Council to vote against this particular request and indeed leave the matter up to the courts. As Mr. Stone indicated, it is a much more narrow issue, but I think it is one where at some point, as elected officials, we must make a decision, and unfortunately, my decision is to vote against this, even though I still believe in First Amendment rights, I think the people in this City and the elected officials have indicated that they prefer not to have these types of operations expand, those that are here, I think we should allow them all of the opportunity that any other business has, but I think that we should indicate that we don't want them to expand.

#### **The Chair:**

Well, the First Amendment notwithstanding, I think I have gone on record before, and I will again. I don't approve of these filthy places anymore than anybody else on Council does, but I also say that if pervers want to go and watch that kind of filth that is there prerogative. My objection has been that kids are getting in there, they have been getting in, they will continue to get in, they don't try to keep them out. As long as they put that \$2.00 or whatever that crap costs, they'll let them in there and those kids are at a stage where their minds can be developed to go a certain way and they know it but they don't care. That's my objection, the younger kids, the so-called minors getting in there.

#### **Michelle Madoff:**

Mr. President, just a point of clarification, I don't disagree with anything that has been said at this table, I agree with Mr. Robinson when he says that it should be settled in the courts, hopefully, so that we will eliminate a lot of that garbage, but again, the reason I am abstaining is that I think it is a First Amendment issue and while this Council has a right to take a stand, I am afraid of taking a stand against the First Amendment.

#### **The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### **NOES:**

Mr. Flaherty	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)

#### **ABSTAINING:**

Michelle Madoff

AYES - 0

NOES - 6

ABSTAINING - 1

And a majority of the votes of Council not being in the affirmative,  
**THE BILL WAS DEFEATED.**

**Michelle Madoff for Mr. Givens  
presented**

Bill No. 3188

Report of the Committee on Supplies for May 13, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3114

Resolution entitled, "Resolution providing for the letting of a contract or contracts or for the use of existing contracts for the furnishing and delivery of Mini Computer and Writer Equipment for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 3189

Report of the Committee on Parks and Recreation for May 13, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3111

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Center for Environmental Intern Program Fund, Inc., for an Environmental Intern Program in conjunction with the evaluation of existing trails in Riverview Park."

Which was read.

Also,

Bill No. 3112

Resolution entitled, "Resolution providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with long-term planning of Frick Park and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone



Mrs. Masloff  
Mr. O'Malley

Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 3190

Report of the Committee on Public Safety for May 13, 1981 transmitting one resolution to Council.

Which was read received and filed.

Also, with an affirmative recommendation,

Bill No. 1712

Resolution entitled, "Resolution providing for an Agreement or Agreements with the School District of Pittsburgh for the provision by the Department of Emergency Medical Services of Paramedics at certain student athletic events; providing for reimbursement to the City of the cost thereof; and creating a special trust fund in connection therewith."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

Bill No. 3191

Report of the Committee on Lands and Buildings for May 13, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3099

Resolution entitled, "Resolution providing for a contract or contracts or use of existing contracts in connection with Public Property Sidewalks and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3100

Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, together with crossarms, cables, wires, and one (1) anchor together with all necessary appurtenances thereto on City property fronting on Allegheny River Boulevard, 12th Ward, designated as Block and Lot 122-L-50."

Which was read.

Also,

Bill No. 3101

Resolution repealing Resolution No. 308, approved 4/28/77, for the sale of a 2 story brick house on 3214 Camp Street, 5th Ward, designated as B & L 27-B-96, to William A. Baker, for the sum of \$750.00. Resolution is to cancel sale and forfeit the hand money.

Also,

Bill No. 3102

Resolution amending Item (O) of Resolution No. 289, approved 4/16/80, for the sale of vacant land on Niceville Street, etc., 31st Ward, designated as 90-S-19-55-56-71-72-73-74-75-99-101 to Peter J. Caruso for the sum of \$4,400.00. Amendment is to correct B & L number (90-S-74).

Which was read.

Also,

Bill No. 3103

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 3014

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in

accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Michelle Madoff presented**

No. 3192 WHEREAS, the City of Pittsburgh through past actions has purchased private properties and used them for public and productive purposes; and

WHEREAS, the J&L site in Hazelwood could serve our City in a meaningful manner; and

WHEREAS, the property is already under primary consideration to be developed to benefit the taxpayers of the City; and

WHEREAS, one of the interested parties is considering the site in order to

build a solid waste plant which would also benefit our taxpayers and which would be modeled after such European plants which are odorless and environmentally suitable; and

WHEREAS, it is being anticipated that this site is also being considered to house our integrated fleet of City vehicles in a modern facility.

NOW, THEREFORE,

BE IT RESOLVED that the City of Pittsburgh should engage in meaningful negotiation with J&L to purchase the property in question and direct the Urban Redevelopment Authority to be the agent responsible for the proper leasing of this site in order to find compatible tenants for the property. The Urban Redevelopment Authority should move as swiftly as possible on this project so that our taxpayers can benefit as soon as possible from its development which will not be a problem because of the sites' value to prospective developers.

Which was read.

**Michelle Madoff:**

Mr. President, I would like to add an amendment. Under the "Whereas", one, two, three, four, the fifth, there would be another "Whereas":

"WHEREAS, there are several other very interested businesses who are very interested in developing part of the site"

**Mr. Robinson** seconded the motion.

**Michelle Madoff:**

I would like to point out that my primary interest is not in the solid waste and that is why I had that next "Whereas" added. It would be lovely if indeed, the

waste heap plant were to become a reality and give this City a solid — a low cost, permanent source of energy so that we could attract other industries to this community, because as we all know, gas and electricity are going to escalate, particularly gas, it is anticipated will escalate something like 91% as of the latest print out in the last energy journal which Mr. Dick Kay sent out as a hand out and I think I showed to some members of Council, if not, I'll provide copies today.

The solid waste plant would lock in the price, at a fixed price, on a permanent basis with very minimal increases, so that we could attract industry here, providing low-cost of energy. More important, we have something like 315 buildings downtown, of which more than half still have not converted, as have the City-County or the County Building, it would be very costly to do that. Not to mention that after a meeting, as I pointed out, part of the 12 hour meetings I had the other day with Larry Yatch and with the BFI people. One of the problems is that we are going to be short of landfills. The federal government, the D.O.E. and E.P.A., that is the Department of Energy and Environmental Protection Agency, are not zeroing in on air pollution and are sort of backing off because of the economy, they have doubled and tripled and quadrupled. They are now sending in inspectors on landfills and shutting them down faster than you can say Jack Robin. And they are really and truly going to start doing something about leach-aid. Which is the poisons that drip off of the landfills, they are forcing them to put in very costly sort of troughs around, wringing the whole landfills, so that landfill owners have talked to me about going into solid waste plants.

However, I understand, from my legal sources, it would be called tertiary

interference to in any way imply that the City ought to be buying this land and therefore making it available to the solid waste plant. That is only a hope of mine.

The reason I am introducing this bill, and it was reviewed and re-written by Marv Fine of the Law Department, so that we are not saying condemnation, we are saying, "purchase privately and meaningful negotiations", he has underlined those two terms, is because there are five entities interested in buying the properties, five developers. If they buy it, we do not know for sure that we will get that particular site for an integrated plant. If indeed, a solid waste heating plant came into being a reality, they would be washing our fleet as part of their being next door to us, probably on a gratis basis, but that should also not be a consideration. The major consideration is that, since I have been on this Council, we have talked about needing an integrated site for our City fleet. It is an excellent location, it has so been determined by the Administration, it takes the traffic, probably, where it will do the least damage, traffic-wise, and be the least disruptive. We have our own property, that we have now for our plant, which will bring us some money because we would sell that property which would help defray the cost.

Someone raised the question, and I don't remember who it was, but it was done, I think it was Mr. Givens, and he was right, he said URA doesn't have the money. So, at the Allegheny Conference meeting the other day, when I said to Mr. Robin, "Don't tell us how it can't be done, tell us how it can be done." He suggested, or stated, I don't know whether it was a suggestion or a statement, that we could put the full faith and value of the City into borrowing the money and we don't know that the figure is exactly that amount,

but the figure that seems to be thrown around is something like \$4 Million. That means that the City would own part of the site, take what it needs first and foremost, and then the City would decide what is in the best interest of this community. Whether we should have a waste steam heat plant, or should we have any of the other developers who are chomping at the bit, who have clients, who want to come in, if they want to come in now, they are going to want to come in no matter who the owner would be. And we are saying give J & L a good market value. Negotiate fair price and value so that they are not ripped off one penny. If necessary, whatever it takes to get it within the framework of a good reasonable price to this community. And that takes leadership, it would take leadership by Mr. Stone as head of our Finance Committee. I want to point out that we did condemn for PPG, we did condemn for Conrail, we are not going to condemn, we're going to say, "Go in and buy it", we're not talking about millions and millions of dollars, we are talking about \$4 Million, we are talking about getting some money back from the existing property that we have, which is going to become quite valuable and we are talking about finally having integrated fleets so we don't go out every year and buy that piece of property that we have to house our fleet, by renting it over and over again from a friend of mine, Mr. Berger, who I adore and who supports me, but we rent that property, so we buy it in effect, year after year after year. I want to see us own something, this is probably the one shot we have at a valuable site and we cannot take the risk that some other developer will go in and then we won't get what we want, and also not the space, nor have to pay the kind of price that we would have to pay a developer. I think it would be absolutely horrendous if we lose it and we find out later. And it's a matter of time.

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**The Chair:**

The problem, Michelle, is, and I don't want to think you wasted that long speech, that they are negotiating now to sell that and for quite a bit of money and I think that they are going to do just that regardless of what we do here today.

**Michelle Madoff:**

No sir, I have spent 12 hours in one day and I was at a meeting on Friday morning at 8:30 a.m. with the Allegheny Conference. What the waste heap plant is trying to do and the City is trying to do is to work through the developers on the premise that well, if one of them gets it we can work a deal. That's insanity. Are we leaders in this community? Are we legislators? Have we tried to get a piece of property for an integrated plant for our fleet, for our police vehicles, our paramedic vehicles and our garbage trucks, should we not be the developers of that property? God, if we can develop — work, out deals with Conrail and work out deals to condemn for blight and condemnation for PPG, we should be able to, since we cannot, and I am not recommending condemnation, certainly go in and negotiate to get it at the best buy and we're the developers so we can come out with the price at the lowest possible cost to this community. And either we've got the guts to speak up and do what is right for the people or we don't.

**Mr. Stone:**

Mr. President, the bill in its present form, I would not support. I think that she has answered one of my complaints, I don't think that we should be putting in here, I think what she is attempting to do is to get the property under control, to which I have no objections.

**Michelle Madoff:**

Mr. Stone, may I just intercede to say that you —

**Mr. Stone:**

I didn't interrupt you, I'd like to finish.

**Michelle Madoff:**

I just want to say I welcome your re-writing it. That is all I wanted to say.

**Mr. Stone:**

Allright. Relative to the "Whereas" that relates to a solid waste plant, I haven't seen it, don't know what they propose to do, I'm not so sure that it has to be there but I am not getting locked in at this point, to a waste plant at that site, so rather than add an extra "Whereas", I would suggest that we take the fourth "Whereas" out completely because it is covered under number three, and not make the amendment, and I would suggest the following changes in body of the "Resolved"; and if you will follow me, at the fourth line: "the agent responsible for the proper sale or leasing", so you are adding "sale or" and then get to the end of that —

**Michelle Madoff:**

Excuse me, I'm sorry, what do you mean by sale or leasing, do you mean the City might lease it as opposed to buying it?

**Mr. Stone:**

Well you have leasing, I'm just adding the other possibility.

**Michelle Madoff:**

Well, they are not going to lease,

they are going to sell, I don't know how lease got in it, I didn't get a chance to look at it --

**Mr. Stone:**

No, what you ought to do is just change it, let me do it this way, "proper sale and/or leasing" -- they can be combinations, you don't want to wipe it out. And then where you come down, "order to finds compatible", since you are talking sale, it would be, "purchasers and/or tenants", and after the word, "for the property" period, I would x out the balance of it because I don't think it really helps the thing.

**Michelle Madoff:**

Mr. Stone I want to thank you, I think that what you have done is very productive, because that is exactly my point. I'm not saying the solid waste plant will ever go in, we haven't even looked at it, you are absolutely right, and your approach was much better than mine. I think by taking it out it makes it much better.

**Mr. Stone:**

Are you agreeing to those amendments?

**Michelle Madoff:**

I certainly am.

**Mr. Robinson** seconded the motion.

**Mrs. Masloff:**

Let me see how this reads -- we are taking out the fourth "Whereas" and what else?

**Mr. Stone:**

In the body Sophie, the "Be It

Resolved", where it says, "the City of Pittsburgh shall engage in meaningful negotiation with J & L to purchase the property in question directs the URA to be the agent responsible for the proper sale and/or leasing of this site, in order to find compatible purchasers and/or tenants for the property", period.

**Mrs. Masloff:**

I want to ask you something. When the City has property this way, don't they put it up for bid, isn't that the normal way to do it?

**Mr. Stone:**

No, the URA has the power to get it to compatible people, as long as they watch the price. You are dealing with something you want to be complimentary to the particular area. You know, it seems to me that putting a City facility there offers some closeness, but then you have to watch what you put next to it. If you put something next to it that is going to clutter up what you are doing, then they can be in conflict in use -- I'm not sure where that is at yet, see?

**Mrs. Masloff:**

Yes, but once the URA gets it, then where do we stand? Where does the City stand?

**Mr. Stone:**

They still have to come back here.

**Mrs. Masloff:**

Do they?

**Michelle Madoff:**

Mr. Stone, I have to tell you, if this passes, I'm even going to vote for you.

**Mr. O'Malley:**

I have a question, can URA — it says here Bob, that the Urban Redevelopment Authority agent is to be responsible for leasing and/or sale — in other words they are going to enter into negotiations with J & L, is it going to be a bid process because there are four or five other people interested in that property?

**Michelle Madoff:**

Yes.

**Mr. Stone:**

What she is contemplating is that first of all you want to get it under your control like we did the Pennsylvania Railroad Station so that we can see that it is going in the best overall interest for the City. I don't know where it is going yet, but at this point I don't know that we could make that commitment, other than — since it is a large tract, we've got to be careful as to what we are doing with it.

**Mr. O'Malley:**

How does URA get it under their control in the first place? Bid on it?

**Mr. Stone:**

Really, it is URA that would be negotiating here, it is a little loose in the language, but I think it gets to it, using URA as its agent.

**Mr. O'Malley:**

Do they go over and say, "J & L — we want it", and that's all, negotiations are finished?

**Michelle Madoff:**

No.

**Mr. O'Malley:**

If I walk over and I say Jim O'Malley wants to purchase it for \$5 Million and URA says, "I'll give you \$4 Million for it", are negotiations closed?

**Michelle Madoff:**

We raised the price on the last bill on Conrail.

**Mr. Stone:**

They don't have to do it unless we condemn it. Okay? That would be a different situation and I don't know that we are at that stage yet. What she is attempting to do here is to see that J & L will negotiate with the City in a fairness that we get it under our control so that we watch its development, so it would appear to me that that's a very, very valuable site and you just don't plug things into it, I think you need to care in watching what you are doing.

**Michelle Madoff:**

Mr. Stone, you earlier said that you felt, if I understood you correctly, that this would be a good site for our integrated fleet, and that was really your concern, not anything else like a solid waste plant, is that correct?

**Mr. Stone:**

No, you indicated last week, something to the effect that there are four or five bidders. I don't want to shut anybody out yet at this stage, because I don't know whether I've got gold or fool's gold, so to speak. Until I get the presentation of everything that is there, I don't want to be saying right now I'm for a solid plant, or I'm for someone else who has some automotive equipment

company, or whatever else it might be.

**Michelle Madoff:**

You didn't hear me. Are you for the City having an integrated fleet facility there?

**Mr. Stone:**

I think that one we should --

**Michelle Madoff:**

That's the only one I'm interested in.

**Mr. Stone:**

No, that one gives us here a greater control. If the City is interested in it and it is my understanding that it might be, we ought to have first look at that.

**Michelle Madoff:**

That is the only point I am trying to make, if you care to re-word it any way at all, but I think you have stated the intention, and that is my intention. Only.

**The Chair:**

Let me ask you a question, when you say integrated, are you talking about the fire, police, public works, all of these vehicles --

**Michelle Madoff:**

Everything. Everything together, mechanics, and they need it and they desperately need it and it is costing us a fortune and every year we come up at budget time and say why are we renting it and the rates go up from the person renting us the property, who doesn't care, it is a valuable property then,

they'll do something else with it.

**The Chair:**

I don't want to use a pun but I thought maybe she meant black and white vehicles.

Would the City Clerk read the resolution as amended.

WHEREAS, the City of Pittsburgh through past actions has purchased private properties and used them for public and productive purposes; and

WHEREAS, the J & L site in Hazelwood could serve our City in a meaningful manner; and

WHEREAS, the property is already under primary consideration to be developed to benefit the taxpayers of the City; and

WHEREAS, it is being anticipated that this site is also being considered to house our integrated fleet of City vehicles in a modern facility.

NOW, THEREFORE,

BE IT RESOLVED, that the City of Pittsburgh should engage in meaningful negotiation with J & L to purchase the property in question and direct the Urban Redevelopment Authority to be the agent responsible for the proper sale and/or leasing of this site in order to find compatible purchasers and/or tenants for the property.

Which was read.

**Michelle Madoff** moved for approval, as amended.

**Mr. Stone** seconded the motion.

**The Chair:**



Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

**Mr. Robinson:**

Mr. President, it has come to my attention, and I assume some other members of Council that an article appeared in the Pittsburgh Press a few days ago relative to some actions to be taken by the County in reference to the possible building of a facility in the Ninth Ward in Lawrenceville to house some of the prisoners that might be overcrowding the Allegheny County Jail. In that particular article, the writer made reference to a William Robinson, and even though it is rather clear that that person is the Executive Director of the Prison Board, I think the record should reflect that I am not the William Robinson in question.

**The Chair:**

This is not funny. They picked this up and they were hanging him in effigy down there this morning. Its a very serious matter.

**Mr. Robinson:**

Right, and that this Council does not now have before it, any legislation relative to the issue at hand and if such legislation were in my committee, Planning, Housing & Development, I would be a strong advocate against the placing of such a facility in that particular neighborhood. I think Council should be aware that this matter has created a grave concern among residents in the Ninth Ward who are under the impression that I and my colleagues are presently considering approval of the placement of that facility in that particular neighborhood. Hopefully, this situation can be corrected so that no one is embarrassed, and certainly, no one is harmed.

**The Chair:**

I think you ought to go a step further Mr. Robinson and say it is almost a certainty that their isn't a member of Council who would vote for a project of that type in that area or for that matter, anywhere in the City of Pittsburgh.

**Michelle Madoff:**

Mr. President, may I go even a step further? Did you ever go out of here late in the evening, or even during the daytime and the alarms are going off at the prison next door? And you are going to get your car or you are walking out there and some prisoner is escaping and everybody is standing there with guns? And that is right next door to the City-County Building? We're taking our lives into our hands, we're not going to put everybody else's life on the limb.

**Mr. Stone:**

Mr. President, when you have the high density of homes, residential homes, that you have in the Lawrenceville area, it would only have to be an idiot that would suggest that we put a home for

overcrowding of Allegheny County prisoners there. I don't know where they came from, I don't know what body it is, but as I indicated earlier, only an idiot would suggest such a venture. As far as I am concerned, let me be real out front on this, if that thing every comes to City Council, and I'm not so sure it will, but if it ever comes to City Council, I will not vote for it and I will not ask anyone on this Council to support it, in fact, I will be actively working for a downfall or opposition of that kind of suggestion.

**The Chair:**

Bob, they had a committee in this morning that said that there were several down there who thought Mr. Robinson was responsible for that and I think we got some fliers out to try to correct that and hopefully the newspapers will make a clarification on that. We told the committee that under no circumstances would Council support that type of institution down there. So I don't think we have any problems.

**Mr. Stone:**

Mr. President, this is an example of some time when people -- you know, whenever someone wants to be responsible, then they permit certain facilities in their community as part of a community responsibility. Then what you do, we ended out first having, in certain areas, as we had with the group homes and the drug rehabilitation programs, then we came in with the state parolees, then with the federal parolees, and then now we are going in for an institution. I think somewhere along the line we have to draw a line and that is that when the City of Pittsburgh is trying to improve the standard of living in this particular City, we are not going to go to the other end of the spectrum and have this kind of thing traumatically affect them. We are

asking them to be responsive and I think government as well, has to be responsive. And any other areas, like Lawrenceville where they are so heavily densified, a residential area, we will not support such a facility.

**Michelle Madoff:**

Mr. Stone, may I ask you a question sir? Is it conceivable that the County could move over the heads of this body?

**The Chair:**

No. Absolutely not.

**Mr. Stone:**

No, I think as far as I am concerned, if it gets to that stage we may even be prepared to file legal action to see that it doesn't happen.

**The Chair:**

It comes under re-zoning and in no way can they do it.

**Michelle Madoff:**

What can we do to help Mr. Bill Robinson, who is running tomorrow for office, so they don't think it is our Mr. Robinson, I think that is very important.

**The Chair:**

The first step is for the paper to clarify it and the fliers we are getting out, and the committee that was in today are pretty active over there and I think they will get the word out. Before we approve of the minutes and before we adjourn until next Tuesday, I would like to say as the President of Council, I want to use the prerogative of wishing my three colleagues who are running for office tomorrow, all the luck and success in the world, and if I might add, I

wouldn't be too put out about the Post Gazette not endorsing you, although they did endorse Mr. Stone, lefthandedly, as you know, if God, reincarnated, came back down to earth and was an endorsed Democrat, the Post Gazette would not endorse them. So you're in good company, okay?

**Michelle Madoff:**

Don't say that to Mr. Stone, he got endorsed.

**Mrs. Masloff** moved to approve the minutes of Monday, May 11, 1981.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. O'Malley** moved to excuse Mr. Givens for absence from this meeting.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mrs. Masloff:**

Mr. President, I would like to move to adjourn this meeting and meet again next Tuesday, May 26, 1981 at 2:00 p.m. Thank you very much.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

and Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

TUESDAY, MAY 26, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAY...Ass't City Clerk**

Pittsburgh, PA  
Tuesday, May 26, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

No. 3193 Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, by adding Section 601.16, Disorderly Use of Municipal Parking Facilities.

Which was read and referred to the

Committee on Public Safety.

Also,

No. 3194 Resolution providing for the issuance of a warrant in favor of Casciato Bros. in the amount of Five Thousand Three Hundred Sixty Two Dollars and Thirty Nine Cents (\$5,362.39) in payment for "Additional Work" furnished for the benefit of the City in connection with the construction and/or reconstruction of catch basins at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof.

Also,

No. 3195 Resolution providing for the issuance of a warrant in favor of Terra Testing Company in the amount of One Thousand Two Hundred Eighty (\$1,280.00) Dollars in payment for work furnished for the benefit of the City in connection with the reconstruction of Forward/Murray and Pocusset Street Intersection; and providing for the payment of the cost thereof.

Also,

No. 3196 Resolution providing for the issuance of a warrant in favor of Atwood and Bates Construction Company in the amount of Two Thousand Seven Hundred Fifty (\$2,750.00) Dollars in payment for "Extra Work" furnished for the benefit of the City in connection with the reconstruction of the Forward/Murray and Pocusset Street Intersection; and providing for the

payment of the cost thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3197 Resolution authorizing the Mayor and the Director of Public Works, on behalf of the City, to lease to the Pittsburgh Steelers for a term of Twenty-Five (25) years and Three (3) renewals, certain property of the City located on Martindale Street, Scotland Street and Reedsdale Street upon certain terms and conditions.

Also,

No. 3198 Resolution further amending Resolution No. 786, approved August 8, 1980, effective August 14, 1980, as amended by Resolution No. 1386, approved December 30, 1980, effective December 31, 1980, entitled, "Providing for a Contract or Contracts for the Reconstruction of Pringle Street Storm Sewer; and providing for the payment of the cost thereof", by amending the Resolution title.

Which were read and referred to the Committee on Public Works.

**Mrs. Masloff presented**

No. 3199 Resolution transferring \$107,000.00 from Code Account 53, Reserve Fund - Debt Service - Auditorium Authority of Pittsburgh and Allegheny County to Parks and Recreation Special Summer Food Service Trust Fund

Which was read and referred to the Committee on Finance.

**Mrs. Masloff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day

following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3200 Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Company, in the amount of \$5,565.00, in payment for the purchase of live birds for display at the Aviary, furnished for the benefit of the City without previous authority of Law; and providing for the payment thereof.

Also,

No. 3201 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$442.72 for extra work in connection with construction of Northgate Park, Project No. 79-PR-24.

Also,

No. 3202 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$33,000.00 for extra work in connection with general construction contract for Westwood Pool and Bathhouse.

Also,

No. 3203 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$652.96 for propane to fuel ice cleaning machines at skating rinks.

Also,

No. 3204 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,625.00 for repairs in connection with reconditioning various size valves for swimming pools.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 3205 An Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations applicable to all Districts, Chapter 987, Signs, by providing updated regulation of signs which shall govern and control the erection, rehabilitation, enlargement, illumination, animation and maintenance of all signs.

Also,

No. 3206 Resolution providing for Agreement or Agreements with a Consultant Engineer for soils and geotechnical services for the reconstruction of streets in Pittsburgh's North Side in connection with the UDAG Program, at a cost not to exceed (\$20,000) Twenty Thousand Dollars, chargeable to and payable from Code Account North Side UDAG Program (4-15-03-1810-79-181-79-15).

Also,

No. 3207 Resolution further amending Resolution No. 735, approved August 20, 1979, as amended by Resolution No. 829, effective September 26, 1979, amended by Resolution No. 662, approved July 25, 1980, entitled, Resolution providing for Supplemental Agreement or Agreements with ACTION-Housing, Inc. for professional services in connection with the

Department of Housing's Neighborhoods for Living Center by changing the source of funds and by increasing the amount provided therefore from \$190,000 to \$270,000.

Also,

No. 3208 Resolution amending Resolution No. 416, effective May 22, 1980, entitled, "Providing for an Agreement or Agreements with Terry and Company for auditing services in connection with the Community Development Block Grant Program" increasing the amount authorized from \$20,000 to \$40,000.

Also,

No. 3209 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the City owned property in the 10th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 50-B-274, under the Residential Land Reserve Fund.

Also,

No. 3210 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th, 13th, 15th and 18th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein.

Also,

No. 3211 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to

the publicly owned properties in the 18th, 20th, 25th and 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 19-G-84, 15-R-112, 22-D-133, 22-D-138, 22-D-139, 45-M-109, 22-D-136, 22-D-169, 22-D-138C, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 3212 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by John M. and Karen L. Catanzaro and designated as Block and Lot 23-K-348 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 3213 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Superintendent Imhoff and Code Enforcement Administrator Bruce, to attend 66th Annual Code Development and Education Conference, Hartford, Conn., June 21-26, 1981, at a cost not to exceed \$1,800.00, payable from Code Account No. 1376. Traveling and Educational Expenses, Department of Housing.

Also,

No. 2314 Communication from Paul Brophy, Director, Department of Housing, requesting permission for John

Posteraro to attend Section 8 Moderate Rehabilitation Conference, Boston, Mass., May 27-28, 1981, at a cost not to exceed \$850.00, payable from HD 80-12, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 3215 Resolution providing for an Agreement or Agreements with compad International Company, Inc. to provide classroom training in the printing field for thirty (30) CETA participants and providing for the payment of the costs thereof.

Also,

No. 3216 Communication from John E. Gabriel, Executive Director, Commission on Human Relations, requesting permission for Lorraine Pressly and William Douglas Mitchell to attend EEOC Training Session, Washington, D.C., June 6-17, 1981, at a cost not to exceed \$2,250.00, payable from EEOC Trust Fund.

Also,

No. 3217 Communication from Richard S. Caliguiri, Mayor, requesting payment of \$200.00 to United States Conference of Mayors for advance registration fee for attendance by Mavor at U.S. Conference of Mayors Annual Meeting, Louisville, Ky., June 13-17, 1981, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 3218 Communication from John McAllister, Manager, City Information Systems, requesting



amendment of Council Bill No. 3017 of 1981 authorizing two Information Systems staff members to attend Honeywell Software Utilization Course, by increasing the authorized amount from \$1,287.00 to \$1,510.00, payable from Code Account No. 1043, Miscellaneous Services, City Information Systems.

Also,

No. 3219 Communication from Raymond E. Johnson, Deputy City Controller, submitting the Audit Report of the Pittsburgh Zoo, in the Department of Parks and Recreation, for a 12 month period from October 1, 1979, to September 30, 1980.

Which were severally read and referred to the Committee on Finance.

#### **The Chair presented**

No. 3220 Petition from residents of Lawrenceville opposing the housing of criminals and the conversion of any buildings into a prison in the Lawrenceville Area of the City of Pittsburgh.

Which was read and referred to the Committee on Planning, Housing and Development.

### **REPORTS OF COMMITTEES**

#### **Michelle Madoff:**

Mr. President. Mr. O'Malley, Mr. Flaherty and myself, are going to, you know we've talked about having some recommendations for URA on the properties that come in that they hold, —

#### **The Chair:**

What's that got to do with

Finance?

#### **Michelle Madoff:**

It's a bill you just introduced.

#### **The Chair:**

Well let him introduce the bills then.

#### **Michelle Madoff:**

No, no. If you give me a minute I'll explain what I'm saying. We would like to know if it's possible on Wednesday, this Wednesday, or next Wednesday when they bring the bills before us, to have a map so they can point out the site to us and the reason that they are keeping the property. The have a whole list of properties again. Again!

#### **The Chair:**

Okay, we'll have a map.

#### **Mr. Stone presented**

Report of the Committee on Finance for May 20, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3149

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of M. DePasquale, Inc., 4740 Wallingford Street, Pittsburgh, PA 15213, in the amount of \$22,600.00 in payment of installations of a 20" butterfly valve, an 8" gate valve and a 6" gate valve furnished for the benefit of the city in connection with City

Controller Contract No. 24778 and providing for the payment thereof." Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Stone

AYES 6 NOES None

**ABSTAINING:**

Mr. DePasquale

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3150

Resolution entitled. "Resolution transferring \$70,000.00 from the Department of Parks and Recreation, Bureau of Recreation. Code Account 1843, Senior Citizens Program Trust Fund (SCPTF), Special Trust Fund #2."

Which was read.

Also,

Bill No. 3157

Resolution entitled. "Resolution authorizing the transfer of Eighty-Five Thousand Six Hundred Thirty-One Dollars

and Ninety-Nine Cents (\$85,631.99) from the 1980 Community Development Block Grant Program Trust Fund, Code Account CDHDS (HD80-12) Project No. (4-15-10-0003-80-8-80-15) to General Funds, City of Pittsburgh, for reimbursement of Salaries, Wages and Fringe Benefits paid to employees in support to the City's Community Development Block Grant Program."

Which was read.

Also,

Bill No. 3158

Resolution entitled, "Resolution authorizing the transfer of Nine Thousand One Hundred Fifty-nine Dollars and Forty-nine Cents (\$9,159.49) from the 1979 Community Development Block Grant Program Trust Fund - CDCPS (Project No. 4-35-01-0001-79-49-75-35) and Eighty-four Thousand Two Hundred Forty-four Dollars and Eighteen Cents (\$84,244.18) from the 1980 Community Development Block Grant Program Trust Fund - CDCPS (Project No. 4-35-01-0001-80-49-80-35) to the General Fund of the City of Pittsburgh for reimbursement of salaries, wages and fringe benefits paid to employees in support of the City's Community Development Block Grant Program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7

NOES None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3160

Resolution entitled, "Resolution providing for the issuance of a warrant to Ms. Maria Harris, c/o Ronald J. Bua, Esquire, Suite 803, The Bank Tower, 307 Fourth Avenue, Pittsburgh, PA 15222, in the amount of \$1,250.00 in full settlement of a lawsuit wherein Ms. Harris claimed personal injuries and damages, and providing for the payment thereof."

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7

NOES None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3161

Resolution entitled, "Resolution providing for an Agreement or Agreements with Arthur Young & Co., for professional services in connection with the development of an Indirect Cost Schedule for submission to the Federal Government; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Question.

**The Chair:**

Mrs. Madoff.

**Michelle Madoff:**

Mr. Stone, on 3161, Indirect Cost, the cost that we're going to pay to Arthur Young & Co. is \$18,000.00. What do we expect to get back from the Government? Do you have any dollar figure? Weren't you having that compiled?

**Mr. Stone:**

This is where the reimbursement is coming from. They're working out that Indirect Cost delegation.

**Michelle Madoff:**

You don't know how much we're going to get?

**Mr. Stone:**

No, it's been coming from different accounts throughout. We've had about four of them the last two weeks.

**Michelle Madoff:**

If you were taking an educated guess, what kind of dollars are we talking about? Millions?

**Mr. Stone:**

No. It's where we perform services under that program for which we're being reimbursed.

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES None

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Flaherty for Mr. Givens presented**

Report of the Committee on Public Works for May 20, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3138

Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution No. 849, approved August 19, 1980, as amended by Resolution No. 850, approved August 19, 1980, as amended by Resolution No. 970, approved September 25, 1980, as amended by Resolution No. 1026, approved October 10, 1980, as amended by Resolution No. 1105, approved October 24, 1980, as amended by Resolution No. 1390, approved December 31, 1980, as amended by Resolution No. 390, approved April 22, 1981, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program', by redefining the funding sources."

Which was read.

Also,

Bill No. 3139

Resolution entitled, "Resolution further amending Resolution No. 1216, approved December 31, 1979, effective December 31, 1979, as amended by Resolution No. 832, approved August 19, 1980, effective August 25, 1980, entitled 'A Resolution providing for a Contract or Contracts for the Wood Street Bridge Reconstruction (PW 79-17); and providing for the payment of the costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by decreasing the total project allocation by One Hundred Twenty Five Thousand (\$125,000.00) Dollars."

Which was read.

Also,

Bill No. 3140

Resolution entitled, "Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, and repealing Resolution No. 206, approved February 26, 1981, effective March 6, 1981, and repealing Resolution No. 330, approved April 10, 1981, effective April 16, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program', by redefining the funding sources and adding new line items."

Which was read.

Also,

Bill No. 3141

Resolution entitled, "Resolution amending Resolution No. 711, approved August 1, 1980, effective August 8, 1980, entitled, 'Providing for a Contract or Contracts for the replacement of the Kirsopp Street Sewer (PW 80-27), and providing for the payment of the cost thereof', by increasing the total project allocation from Five Hundred Thousand (\$500,000.00) Dollars to Nine Hundred Thousand (\$900,000.00) Dollars."

Which was read.

Also,

Bill No. 3142

Resolution entitled, "Resolution providing for a Contract or Contracts for the rehabilitation of the P. J. McArdle Bridge, Phase I - Demolition; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3143

Resolution entitled, "Resolution providing for a contract or contracts for the furnishing and installation of TYR 25 Guardrails at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7

NOES None

And a majority of the votes of the Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Report of the Committee on Planning, Housing & Development for May 2, 1981, transmitting sundry resolutions to the Council.

Which was read, received and filed.

Also with an affirmative

recommendation,

Bill No. 2854

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Company, Inc., for the sale of Parcel 25 in the Third Ward of the City of Pittsburgh in a portion of Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 2855

Resolution entitled, "Resolution approving an agreement by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Company, Inc., in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance for the construction of a house in the Fifth Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 2856

Resolution entitled, "Resolution approving an agreement by and between the Urban Redevelopment Authority of Pittsburgh and Charles E. Davis Construction Company, Inc., in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Third Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing

Program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3000

Resolution entitled, "Resolution approving the Convention Center Redevelopment Proposal, dated April, 1981, including the Redevelopment Area Plan, for redevelopment activities in Redevelopment Area No. 46 in the Second Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3001

Resolution entitled, "Resolution authorizing the Mayor, the Director of the Department of City Planning, the Director of the Department of Parks and

Recreation, the Director of the Department of Public Works and the Director of the Department of Water, for and on behalf of the City of Pittsburgh, to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh for the redevelopment of the Convention Center Redevelopment Project, being Redevelopment Area No. 46, located in the Second Ward of the City of Pittsburgh, providing for the vacation of certain rights of way in said area, the conveyance of all the City's right, title and interest in and to said vacated rights of way to the Urban Redevelopment Authority of Pittsburgh, the dedication of certain rights of way, the making of certain payments by the City of Pittsburgh to the Urban Redevelopment Authority of Pittsburgh, and providing for nondiscrimination in the use of public facilities and setting forth the terms of the agreement."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Robinson
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale (Pres't)
AYES 6	NOES None

**ABSTAINING:**

Mr. Flaherty

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3159

Resolution entitled, "Resolution providing for an Agreement or Agreements for professional auditing services in connection with the 1979 and 1980 Community Development Block Grant Program and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President. On Bills 3000 and 3001, I would like my comments from Wednesday brought forward as a matter of record in the printed record. I would like to state that I had met with Mr. Steve George who admitted to me that Council was absolutely right. The issue was not whether they went out and got a developer, and a good developer, or whether who gets to be the developer, but that indeed, as Mr. Stone said, it should have been brought to us a year ago. I as a member of Council and a number of people here resent the fact that after they make the arrangements they tell us that they're even going to look for somebody. We get told after the fact. It would be appropriate if URA or any department of the City, when there is something in the works, and they're planning to develop an area of the City or to do anything important, would come before this Council and say we have your permission to pursue this matter. That's all we were asking for. So that we don't

ote in a vacuum and that we not just a  
unch of figureheads. And he agreed  
hat I was right.

**MICHELLE MADOFF'S COMMENTS ON  
BILL NOS. 3000 AND 3001 FROM THE  
MEETING OF WEDNESDAY, MAY 20,  
1981:**

**Mr. George:**

Steve George  
Executive Director  
Urban Redevelopment Authority

Other than any assistance that we  
may be able to offer the property owner"

**The Chair:**

That was covered at the hearing  
because some individual had a concern.  
That concern was whether or not they  
could make them do something.

**Michelle Madoff:**

For the dollars available and  
that's the key.

**Mr. George:**

That's correct.

**Mr. Flaherty:**

Are there going to be street  
improvements in the area?

**Mr. George:**

Yes, there are some. It's a  
realignment at the intersection of Grant  
and Liberty to further facilitate the  
actual intersection. We have to take  
into consideration the traffic routing  
that is coming out of the Penn Central  
area because of PATway East. There is  
also a slight change where the hotel is to  
be built and again this is to facilitate the

intersection because it is a rough area.

**Michelle Madoff:**

Two questions. The gentleman  
who is sitting behind you, Mark  
Schermer, raised a valid question. I  
think you told me you would meet with  
the people, right?

**Mr. George:**

Right.

**Michelle Madoff:**

The concern was that in the area  
where they were provided money —  
UDAG money, etc., etc., will there be  
any dollars available for the people  
abutting this property in order for them  
to be able to keep the design upgraded?  
They were told no and I don't think that's  
fair.

**Mr. George:**

We have been attempting to  
structure a program for low-income  
loans for commercial rehabilitation for  
existing structures. Right now there are  
certain investigations that we need to do  
because of certain clearances that we  
need to have with URA and we are trying  
to get an opinion on it.

As a result of the program that  
could be created, once we get the  
clearance, I see no reason why we  
couldn't include the Penn Liberty area.  
Hopefully, if we could get the approval  
for clearance that we are currently  
seeking, that probably could very easily  
include it and would make good sense  
because they are similar kinds of  
buildings.

**Michelle Madoff:**

They are not under the Historical



Landmarks Foundation, are they?

**Mr. George:**

No.

**Michelle Madoff:**

We are voting today strictly on the issue — should we go ahead with the project or not. But I'm a little confused. Doesn't it seem that we have already made a commitment to Buncher? I mean, how can you give an option? We are saying this isn't the case when in fact it is. That doesn't make legal sense. Can somebody address the question.

**Mr. George:**

If I may clarify that. We are actually taking action here on the redevelopment area plan that speaks to the parcels and of the agent of those parcels being redeveloped — No. 1 the hotel parcel and No. 2 the restoration of the Penn Central Office Building that doesn't deal with the developers themselves.

**Michelle Madoff:**

I already said that twice. The thing that I am confused about, I don't want us to get sucked into something.

When we voted on the bond issue at 11.8, it wasn't that. Before I vote on something I want to understand it. It is my understanding that we have gone out and made an arrangement to give Buncher a one-year option. True or false?

**Mr. George:**

That's correct.

**Michelle Madoff:**

Do you know what I am getting at?

**The Chair:**

That agreement is subject to council approval.

**Mr. George:**

That's correct.

**Michelle Madoff:**

Here's a man who has started to make improvements on property and you are saying that is not an issue of Council.

**The Chair:**

We're going to the Landmarks Department but it is not on us.

**Michelle Madoff:**

Maybe we ought to have one of our attorneys look at it.

**The Chair:**

Because of the way it was handled, I'm inclined to think that some of the rederic didn't stand the test and I don't think that we should be fretting too much.

Relative to this particular contract, I think we are about a year late. That should have been done already.

MICHELLE MADOFF AND MR. FLAHERTY ABSTAIN FROM VOTING.

END - MICHELLE MADOFF'S  
COMMENTS ON BILL NOS. 3000 AND  
3001, MAY 20, 1981.

Is there any further discussion?

the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### **Michelle Madoff:**

I'm going to vote aye on all bills with the stipulation that the record be brought forward and that I have Mr. Steve George's word that we were correct, that he has to bring material to us for approval on the concept of a project before he goes out and finds a developer. If it ever happens again, I'm going to sue him.

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### **Mrs. Masloff presented**

Report of the Committee on Parks and Recreation for May 20, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3151

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery

of various play equipment for the Department of Parks and Recreation, and for the payment thereof."

Which was read.

#### **The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Aves:

Mr. Flaherty	Mr. O'Malley
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 6                      NOES None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### **Mr. Flaherty presented**

Report of the Committee on Lands and Buildings for May 20, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3147

Resolution entitled, "Resolution providing for the purchase, in settlement of condemnation, of a portion of property located in Lot and Block Number 9-A-162, the south side of Madison Avenue at River Road in the 23rd Ward of the City of Pittsburgh for

\$2,500.00 (Twenty-Five Hundred Dollars) plus proper closing expenses; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3148

Resolution entitled, "Resolution providing for the purchase, in settlement of condemnation, of a portion of property located in Lot and Block Number 7-F-107, at the intersection of Chateau Street and Ridge Avenue in the 21st Ward of the City of Pittsburgh for \$1,250.00 (Twelve Hundred Fifty Dollars) plus proper closing expenses; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 6

NOES None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**The Chair:**

Michelle Madoff.

**Michelle Madoff:**

Mr. President. Three quick items. I distributed to you, and I'm sending over to Dr. Wecht because one of his attorneys' friends sent me a copy of the Wall Street Journal. I want one paragraph recorded for the record.

"The Passing Game. Two professional sports teams that lease County owned stadium give season tickets to County officials. This income says the IRS, and the fair market value of the passes must be included on return for the year in which they are used, sold or given away."

And there was another article, don't have the complete article --

**The Chair:**

Why are you saying that I'm the County Commissioner?

**Michelle Madoff:**

Well, this just happens to be in another city. The IRS has made a ruling that any free tickets that we get from anybody we have to declare as income. This presents a problem to me, and I'm sure to other members of Council because on occasion I'll have somebody who buys a ticket or a table to something call over and say, "Do you know anybody that wants to use them?" and I don't always use them. I give it to an aid or to some of the staff people or so on, but --

**The Chair:**

Well the day you see a free Steeler ticket let me know.

**Michelle Madoff:**

---

You mean you won't get me one, Jeep?

**The Chair:**

They don't give them and you know damn well they don't give them and you're completely out of line.

**Michelle Madoff:**

Anyway, they're not talking about, particularly —

**The Chair:**

Where is that under Motions and Resolutions?

**Michelle Madoff:**

That is not, Mr. DePasquale, it is not just Stadium. It is the Pitt season tickets.

**The Chair:**

What's the purpose here? I don't see what you're driving at.

**Michelle Madoff:**

It's the Pitt season tickets. It's the membership in the Allegheny Club. It's the free parking at the Stadium. Anything we get we have to declare —

**The Chair:**

If you know somebody that's getting free tickets, then turn them in to IRS. Make it as simple as that.

**Michelle Madoff:**

Fine. Next item. In the media the other day, it was reported unanimously voted by Council, that we control the J&L sites so we can have an integrated City fleet, and Mr. Stone, I

think made the Resolution stronger by taking out one of my concerns which is the waste-heat plant perhaps go on that site. And what was reported in the media is that we'd have to raise taxes. That is not true. What was discussed at the Allegheny Conference is that we would put the faith in value of the City into purchasing the property, perhaps, I'm just using an arbitrary number off the top of my head, at four million dollars. But instead of a broker getting a million and a half or two hundred thousand, whatever the number would be, in a brokerage fee, the City would own the property, the City would buy the property, and there is so much interest in that property, that there are four or five developers interested, Buncher, at my request, has withdrawn his proposal, or he's told me he thinks I'm right, he didn't say at my request, I bumped into him. Mr. O'Malley, I understand, had a meeting with some people who told me that they discussed it with him and thought it was a good idea. That may or may not be true, but they believe another leader of industry in the real estate business thought it was a good idea, and it boils down to simply this: Are we going to keep renting space for our integrated fleet from whoever it may be, whether it's Micky Berger? Are we going to sell out the piece of property if we go to J&L, that we already have, which will give us revenue? All we'll be doing is paying interest on the loan, which would be a line item I'm sure we could find somewhere, and instead of the City playing the game, saving buying it for four million and maybe we sell it, instead of having to buy it from somebody else for two million, might end up getting it for a million instead of paying rent every year to have a place for our City fleet. And I just wanted to correct that impression. That leads me to the next item even though I believe the reporter did me an injustice by saying that we'd have to raise taxes

which is not true. It would save the taxpayers a lot of money. There is an article that says, in the Post Gazette, DePasquale restricts reporters. I don't understand this. Could you explain it to Council? I read about it in the paper.

**The Chair:**

What article?

**Michelle Madoff:**

Did you see it?

**The Chair:**

Can you read?

**Michelle Madoff:**

I read it but I don't understand it.

**The Chair:**

Well then read it. What do you want me to explain it for?

**Michelle Madoff:**

Well, are you qualified or is it your option to make an arbitrary decision that reporters cannot look at things? I don't know, I would just like an explanation.

**The Chair:**

I just didn't want reporters peeping in where they didn't belong. Okay? It was pointed out to me that they have a copy machine back there that they've had access to for years, and this would hinder their work. And I told Mr. McCrav I intend to rescind the order. Yes, I gave the order.

**Michelle Madoff:**

Well, I didn't know what it was.

They just can't use the copy center. Is that it? The copy machine. Is that the only thing?

**The Chair:**

I just thought that they didn't belong anywhere where you or anyone else didn't belong if it was none of your business. They had no rights peeking over people's shoulders. Okay? As far as the copy machine and some other things, that's something else. But I think the note was self explanatory.

**Michelle Madoff:**

Well, you always say they misquote you so I thought we ought to get clarification because I didn't understand what the article said at all. I didn't understand the whole purpose of it.

**The Chair:**

That's your problem, Michelle. You'll never understand.

**Michelle Madoff:**

Well, Mr. DePasquale, when you're as smart as I am then we'll be equals.

**Mr. Stone:**

Mr. President.

**The Chair:**

Mr. Stone.

**Mr. Stone:**

I would like, if I may, to share a letter that I received from the city of Atlanta.

Dear Councilman Stone:

Thank you for your letter and

enclosure of the Municipal Record of the proceedings of Council on April 13, 1981.

Crime is definitely on the increase in the nation, and I agree that little activity is being generated to help aid the victims of these crimes. Proclaiming "Victims Rights Week" in your city exemplifies your Council's attempt to reach out and show the citizens of Pittsburgh that it cares.

The concern you exhibited by requesting your Council hold a silent prayer for our missing and murdered children in Atlanta was most touching. Atlanta is facing a crisis at this time and hopefully the perpetrator(s) will soon be captured.

My thanks to you and the Councilmembers of Pittsburgh for their concern.

Sincerely,

Ira Jackson

IJ/sd  
Enclosures

cc: Members of the Atlanta City Council

The Honorable Maynard H. Jackson

**The Chair:**

Thank you Mr. Stone.

**Mr. Stone** moved to excuse the absent members from this meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approved the minutes of Monday, May 18, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mrs. Masloff:**

Mr. President, I would like a motion to recess this meeting until Friday, May 29, 1981, at 10:00 a.m.

**Mr. Stone** seconded the motion.

Which motion prevailed.

and Council recessed.

Pittsburgh, PA  
Friday, May 29, 1981

Recessed meeting of Tuesday, May 26, 1981, was called to order at 10:00 a.m.

**PRESENT:**

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

**The Chair:**

First of all, we're going to have the Mayor escorted into the hall and then we'll have the Pledge of Allegiance.

Would Sophie Masloff and Jim O'Malley please escort the Mayor into the hall?

Would you all rise please for the Pledge of Allegiance, and then remain standing for the invocation?

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation,

under God, indivisible, with liberty and justice for all.

**The Chair:**

Thank you.

Remain standing, please, for the invocation by Father Joseph Newell. Father Newell?

**Father Newell:**

Almighty God, let us never forget that this world and everything in it belongs to you, even though not all of this world's citizens recognize, or pay their allegiance to you, their Creator.

As the Honorable Ben Woods takes his Oath of Office and assumes his new position of trust and civic responsibility in this great City of Pittsburgh, may he know your guiding power and your constant help. In his position of power may he always be true to your precepts and be accountable and responsible to the people whom he was elected to represent.

Benevolent Father, bless his efforts in behalf of the citizens of our community, and may his greatest accomplishments be that he has always served well. Thus may he one day hear your welcome judgment, "Well done my good and faithful servant." Amen.

**The Chair:**

Father Newell may be Councilman Woods' pastor, but he was my boyhood chum and I'm very proud to say we were grade school classmates together. And, again, thank you Father Newell.

The Representation of Certificate of Election, Mr. Clerk?

**Mr. McCray:**

The Chair presents the Certificate of Election of Ben Woods as a Member of Council, City of Pittsburgh at the election held Tuesday, May 19, 1981.

**The Chair:**

Thank you.

Which was read, received and filed.

Which motion prevailed.

**The Chair:**

Now, it gives me great pleasure for two of our Councilpersons to escort Councilman Woods into Chambers. Mr. Stone and Mr. Robinson, would you please?

At this time I'd like to introduce the Honorable Judge Gerald Bigley, Court of Common Pleas, to administer the Oath of Office to Mr. Woods. Judge Bigley?

Judge Gerald Bigley duly administered the Oath of Office, which Mr. Ben Woods signed and swore to.

**The Chair:**

Now Councilman Woods will make his acceptance speech.

**Mr. Woods:**

Mayor	Caliguiri,	Council
President	DePasquale,	fellow
Councilmembers	and	fellow
Pittsburghers;		

Few people know how long and how hard I have worked to be here today. I have been seeking this office since 1977. I owe this moment to many, my wife, Pat, my mother and my four children, Ben, Steve, Lisa and Sandy, and the rest of my family and friends.

The irony is that I enter Council when American cities face a grave future.

In the 1960's when we discovered what was called "The Urban Crisis", a democratic president responded. The great society saved the cities and gave the disadvantaged a chance for a future.

Today a republican president cancels that chance and tells the people of the cities that they are on their own.

From Washington to Harrisburg, we hear the cry that funds for the cities -- and the people in them -- must be cut.

Renaissance II promises us a better future. But the 30,000 jobs those shiny towers will bring will not come until the building is done. The renewal of our neighborhoods and the people it will retain and attract has only just begun.

How is Pittsburgh to survive until Renaissance II is complete?

How is Pittsburgh to survive if we are abandoned by the State and Federal Government?

Pittsburgh will survive and Pittsburgh will succeed because this City knows that to make it on our own, we must work together.

Unity starts at home.

Council must put away childish discord and respect each member's values and views.

The fifteen Department Heads who implement the programs of this City must respect Council's responsibility to safeguard the public interest. Council must respect each director's sincere desire to carry out the City's programs

and projects.

I am concerned about the high cost of our capitol project. Given the nation's high interest and inflation rates, we cannot afford delays or planning and design errors that lead to cost overruns. I look forward to working with the Administration to keep our projects on schedule and on budget.

Together the Administration and Council can work through any problem. Apart we will only create a rash on new and devisive problems.

Unity must be preserved in our neighborhoods and encouraged among the people of Pittsburgh.

The Federal Government seeks to divide us by giving tax cuts for the employed and taking federal funds from the poor. Washington cuts CETA jobs and Harrisburg tells welfare mothers to go out and find a job. With less to work with we must do more with what remains.

City Hall must exercise it's friendship with industry to have industry hire and help train those whose hopes will be cancelled with the CETA Program. I look forward to helping sell to the corporate community our private sector initiative program. This so far unharmed federal program provides an employer 50% of the salary of an employee who receives on-the-job training.

Locally, there are those who would set neighborhood against neighborhood. They tell us that the East End gets all the service and the North and South Side suffers. They would divide Pittsburgh with a district Council. For the most part, this is the platform of defeated Council candidates.



To my friends on Council who promote a district plan, let me say I will reconsider my view if they can honestly tell me that because they are East Enders, they cannot fairly represent Sheridan or Troy Hill. They can and they do.

I am not a North Side Council Member. I am a Pittsburgh Council Member.

The people of Pittsburgh must know that unity means that people have a responsibility to each other.

Crime will be reduced when neighbors watch out for each other. Block Watch Programs unify neighbors so that they know who belongs on their street and who doesn't. People who refuse to get involved promote crime just as keys left in an ignition promote car theft. Block Watch gets people involved in helping their neighbors.

Litter will be reduced only when the public unites to stop those who litter and dump debris. We have a responsibility to each other to maintain our property.

Let me add as a Democrat, that our party must also unite. Some reject the endorsed slate of candidates because a particular favorite cannot win the endorsement. Endorsed candidates are elected by the local committee people. To enter this democratic process and refuse to be bound by the result, weakens our party. The result of a weakened party is not reform, it is republican state and federal administrations!

There is much I have to learn about Council. I believe that you learn by example.

Someone we all might learn from is a man who has given his entire life to

public service -- John McGrady.

John McGrady had held onto the ideals of our party and has been faithful to the party.

He has always been more concerned about doing a successful job than who gets the credit for it. While others fought over the credit, the Commissioner John McGrady helped start programs for the Aged, the Community College, and our County Mental Health and Retardation Program -- programs now threatened by Washington and Harrisburg.

Pittsburgh will never be fortunate enough to find nine John McGrady's to sit on Council. But like him we would do well to always work in harmony with the people.

Pittsburgh knows all about teamwork and winning on our own. It is what we do best.

We have much to work with. Much has already begun. But there is much left to do.

To those of you in this room; I am happy to join with you to serve the people of this City.

Thank you.

### **Judge Bigley:**

Ben, it is my distinct pleasure to present to you the Certificate of Election. It's styled, Commonwealth of Pennsylvania, County of Allegheny.

We the undersigned Members of the Return Board of the County of Allegheny, do hereby certify that on the 19th day of May, 1981, Ben Woods, having received 22,779 votes, was duly elected to the Office of Member of Council, City of Pittsburgh, Unexpired

Term, in the County of Allegheny, Witness and seal on this 27th day of May, 1981.

**The Chair:**

It's official now, Ben, you're a Councilman. I don't know if you're going to be too happy about it, but let's hope you are.

**Michelle Madoff:**

You'll have lots of laughs.

**The Chair:**

You know, I had a great fear this week that Ben wouldn't show up today. This acceptance speech of his, I never saw a guy so nervous and so worried. He wasn't that worried during the election. In fact, he was very confident through the entire campaign, but when it came to the acceptance speech, and then he came here today and he made it, and it was a great speech, and Ben, thank God you came here.

There's just a few more things we have to do here today before we adjourn and certainly Ben's good friend and my good friend and your good friend, and he's certainly a good friend of the City of Pittsburgh, and I consider him the greatest Mayor we ever had, and that's Mayor Dick Caliguiri. And I know that Dick would like to say a few words in regards to Ben's swearing in today. Mayor?

**Mayor Caliguiri:**

Thank you Mr. President and Reverend Clergy, our good friend the Judge, and of course our new Councilman Ben, members of Council, the family and friends of Ben Woods.

Let me take the liberty to

welcome you to City Council, Ben, and to City government. I think you're going to find it most exciting, I'm sure most rewarding, and enjoyable. But along with that comes an awesome responsibility, Ben, and I think you have presented it quite well in your statements in your speech. There is no doubt that we have a lot to do in the City of Pittsburgh and thrust upon us is that responsibility that in some cases have been either neglected by other governments and obviously a challenge that we have to do more or even do as much as we're doing now with a lot less in the future. So certainly that's going to challenge our imagination, our where-with-all, and everything that Council and the Administration can muster together, and I say that work together, because separately we just cannot run City government, we cannot continue the efforts that we have been now doing under Renaissance II. It has to be a true partnership, it has to be one of cooperation, and it has to be one of patience with one another, and acceptance of one another. So I am very please to hear you say that, Ben, that certainly we wish to work together with you. And certainly, that's the way that it must be done if we are to continue to do what the citizens of Pittsburgh, and beyond, because we are a regional center. And not only are we responsible to the 450,000 so odd people that consider themselves Pittsburghers, but certainly the 2-1/2 million people that actually consider Pittsburgh part of their home. So, Ben, I certainly welcome you here, and look forward to working with you, along with my Administration and Department Heads as we have with all Members of Council.

I congratulate you, I congratulate your family for the tireless effort you put forth over the last couple of months eating all those hotdogs. I always saw you first in line before me. But you got, I think, a little bit of 6'5" to put together

better than I do. But I do want to thank you and your family for all the cooperation and effort in working together in this campaign. I know we will work together quite well, and to your family, congratulations to each and every one of you, and Ben, welcome.

Thank you so much.

**The Chair:**

The Clerk informs me whether Ben Woods likes it or not, he's going to have to take his seat with the rest of us.

Would Mr. Stone escort Mr. Woods to his seat, please?

Thank you, Mr. Stone.

I'd like to conclude just by saying a few words. Ben and I have something in common, in fact quite a few things in common. We're both labor leaders - the sheet metal workers, and you're all aware of me over at the Stadium, we both married Italian girls. Someone said to me the other day, "Hey, I married an Italian girl." I said, "So what? So am I." I don't mean that to be disrespectful to Josephine and Pat. Pat's a wonderful girl, and so is Josephine. I just thought I'd point that fact out.

And if Carl Morris is here. Ben and I both go to the same clothier - Sol Mintz. I don't know if he bought any clothes with his campaign funds, but I'm going to tell you this, if and when I run again, I'm going to buy clothes with campaign funds. Now we will have the great honor, at least I am, of serving in Council, and serving together. And the well known fact that some of you may be pleased and some of you displeased, probably Michelle Madoff will be displeased when she hears this -

**Michelle Madoff:**

I'm always pleased to see Ben Woods with us. And don't speak for me and when you call women girls, I reserve it - we're women!

**The Chair:**

I like to refer to them as ladies, they are.

**Michelle Madoff:**

Always a lady, always a woman but never a girl.

**The Chair:**

What I was trying to say was, that the only person I shared this with in the world was my wife. If Ben Woods had lost, and one of those other so called dissidents had been elected, I was preparing to resign and take a position with a certain firm, and take my pension. And that's the part that would make you very sad, Michelle. But now you stuck with me for 2-1/2 more years. That's how much importance I put on Ben Woods' election, and I want to say to you, all of you, thank you from the bottom of my heart for electing Ben Woods to City Council.

Before we adjourn, I have a duty to perform, and that is to appoint Ben to a Committee, and Ben will be appointed Chairman of the Supplies Committee. Ben, you may think that's not a prestigious post, but it is. It's probably one of the most important in the City of Pittsburgh, and you're going to have your hands full there, because, they, as you know, buy all the equipment for the City of Pittsburgh, and you know of the running battle we've had over the years about whether we should buy more equipment or buy less. But that's going to be your baby now, and you're going to have to take care of it, and I know you

will.

**Mr. Stone** moved to excuse **Mr. Givens** for absence from the meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Monday, May 18, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on the motion of **Mr. Stone**,

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JUNE 1, 1981

No. 22

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Asst City Clerk

Pittsburgh, PA  
Monday, June 1, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

First order of business is normally the presentation of papers, but I understand by the request of Councilman Robinson there are some children from Miller School who have gained national recognition for their litter-bug clean-up campaign.

#### Mrs. Masloff:

Mr. President. I would just like to point out that I am a graduate of Miller Elementary School.

#### Mr. Robinson presented

RESOLUTION recognizing and honoring the students, faculty, supportive staff, and administration of the Miller Elementary School for Litterthon 1980.

WHEREAS, the students, faculty, supportive staff and administration of Miller Elementary School produced a Litterthon '80 on June 5, 1980, and

WHEREAS, the effort was developed and directed by the faculty member Thomas Baker, and

WHEREAS, the young people clean up crusade was one of the twenty-six chosen by the committee of judges to receive a grant from the Allegheny Conference on Community Development Education Funds and Buhl Foundation and Wilma Funds of the Pittsburgh Foundation, and

WHEREAS, their effort to clean their neighborhood received national recognition from Keep America Beautiful, Inc. and the President of the United States of America through the President Environmental Youth Award of the Environmental Protection Agency and on the local by the Commissions of Allegheny County and the Allegheny County Conservation District.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, on behalf of all the citizens, does recognize and honor the students, faculty, and supportive staff, and administration of Miller Elementary School for their dedicated and sincere effort to broaden their own perspective and environment and their duty related to our City environment and also to engage in a supportive effort to keep Pittsburgh beautiful for all the people.

**The Chair:**

I wonder if Mr. Robinson would come up and present the resolution to a representative of Miller Elementary School. Why don't you all come up here.

**Thomas Baker:**

Hello. Good afternoon everyone. My name is Tom Baker and I'm a teacher at Miller Elementary School. And as Mr. Robinson made up the resolution and Mr. DePasquale read it, we had a Litterthon last year, last June, at our school and we took the time and the effort to really clean up the environment and Mrs. Jane Berger who is in the back here, is from the Allegheny Conference on Community Development. They're the folks that supply mini-grants for teachers to have innovative programs, and she was really very nice and very professional and cooperative with us and really helped us out. Councilman Robinson came up and lent moral support. Dr. Maxim is here, he's with the Pittsburgh Public Schools who supported us in all our efforts and, of course, Mrs. Margaret Black who is the co-teacher with me and sometimes when I'm on the phone doing all these PR things and enhancement things, she's the one doing the instruction. And each of the students received one of these from the Environmental Protection Agency, and each of the students has, they're going to get this and they're going to get

their own resolutions that City Council approved on, and also, he that giveth also taketh, I guess. We have a little present for you City Council folks. So we'll see how it goes, okay?

Our first winner is Ronald Williams.

**Speaker:**

My name is Ronald Williams. I have a poem for Mr. Jeep.

I think litter's in trouble deep  
When it messes with Mr. Jeep.  
To Cleveland, trash will be sent  
When told to by Council President.

**Mr. Baker:**

Our next speaker is speaking to Mr. Flaherty, who I see isn't here, but anyway here's Richard Davenport. Richard.

**Speaker:**

My name is Richard Davenport.

So Mr. Flaherty, what can a kid do  
to make our Pittsburgh shine so new?  
It's good we have men like you  
Who want our town to be clean and  
bright, too.

**Mr. Baker:**

Our next speaker is Myran Dyer who will be speaking to Mr. Richard Givens.

**Speaker:**

For fighting litter, we are driven.  
So join our fight, Mr. Givens.  
We believe that we are right  
And so together let us fight  
To make our someplace special bright.

**Mr. Baker:**

---

Our next speaker is Larry Taylor. He will be speaking to Councilwoman Michelle Madoff.

**Speaker:**

You are one of the best fighters around  
Battling for each and every Pittsburgh town  
You respond beyond  
Waving a magic wand  
Making things better than they were found.

**Mr. Baker:**

And for the other Squirrel Hill connection, Sophie Masloff, we have the honorable Antoine Reeves. Antoine.

**Speaker:**

Thanks to your efforts so able  
Pittsburgh is getting cable.  
Here's another cause for Council Table  
Let's make litter a long forgotten fable.

**Mr. Baker:**

Our next speaker is Robert Williams who will be speaking to a new member, Mr. James O'Malley.

**Speaker:**

Clean up is our cause,  
No time to daly.  
We need litter laws  
Not more trash to tally.  
The victory is now  
Let's start a winning rally  
We will win somehow  
With your help, Mr. O'Malley.

**Mr. Baker:**

The next speaker is fourth grader, an honor roll student, Mr. Timothy Adams, speaking to Mr. Bill Robinson.

**Speaker:**

Mr. Bill Robinson  
Our chances for a clean Pittsburgh aren't remote;  
You give us need is leadership and a vote.  
You carry a broom to many a room  
To get your message across  
You are the best, NORTH, SOUTH, EAST AND WEST  
You are the anti-litter boss.

**Mr. Baker:**

The next speaker for Mr. Stone is Donell Frison. Donell.

**Speaker:**

Our words are simplistic;  
Our goals are realistic;  
But to get perfection  
You need a collection.  
We can't do it alone,  
We need you, Mr. Stone.

**Mr. Baker:**

And last but not least, the new member alphabetically, the last member, Mr. Ben Woods, we have Mr. Darnell Talley to speak to you.

**Speaker:**

How are you today, Mr. Woods?  
How are things in your North Side neighborhood  
Like all of Pittsburgh, too  
Olde Allegheny needs something new  
A clean up would do us all a world of good.  
We hear to Council you are new  
Well, sir, we are too  
So we better stick close to you.

**Mr. Baker:**

Okay, that concludes our

program. I want to thank everyone, really, responsible again, Mrs. Berger, Dr. Homer, Mrs. Black, and Mr. Robinson, and all of you, for really giving our kids a really special treat. I want to thank you very much. Keep up the good work, we love you.

#### **The Chair:**

We're going to take a picture with these children and I do want to say before that, that certainly we're thrilled and honored today by their presence. It doesn't usually happen and it's a fine thing. Thank you children.

#### **PRESENTATIONS**

##### **Mr. Flaherty presented**

No. 3227 Resolution repealing Resolution Number 395, approved 4-13-81, which repealed Resolution Number 1090, approved 12-5-79, for sale of 2 story frame house at 116 Amanda Street (Mt. Oliver Boro) to Frank P. Leonardi & Joan Mitchell, for the sum of \$950.00. This amendment is to re-instate original Resolution with Assignees, David and Eileen Koziak as purchasers.

Also,

No. 3228 Resolution amending Resolution Number 867, Item (C), approved 8-25-80 for the sale of 2 story frame house, 707 Morgan Street, (5th Ward) Block and Lot 10-D-159 to Junyetta Seale, for the sum of \$500.00. Amendment is to delete house from the sale and reduce the price to \$250.00 for the lot only.

Also,

No. 3229 Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with

Act No. 514 of 1947 as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

##### **Mr. Givens presented**

No. 3230 Resolution providing for the issuance of a warrant in favor of Montour Contracting Company, Inc., in the amount of Seven Thousand Fifty One (\$7,051.00) Dollars in payment for "Extra Work" furnished for the benefit of the City in connection with the construction of Point Park Band Shell Foundation; and providing for the payment of the cost thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 3231 Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of Mr. William Rauker, situated at the northwest intersection of Spring Garden Avenue and Vivial Street in the 24th Ward of the City of Pittsburgh.

Also,

No. 3232 Communication from Louis Gaetano, Director, Department of Public Works, requesting amendment of Council Bill No. 3107 of 1981, authorizing Messrs. Recker and Perella to attend G.E. Seminar, Theory of Roadway Lighting, Hendersonville, N.C., May 3-6, 1981, by increasing authorized amount from \$600.00 to \$678.00.

Which were read and referred to the Committee on Public Works.

##### **Mrs. Masloff presented**



No. 3233 Resolution providing for the acceptance of a deed from URA, for a nominal consideration conveying certain property and improve, thereon/21st Ward/Columbus St., containing approximately 102,347 square feet and designated as Block 22F, Lots: 50, 51, 52, 53, 159, 160, 162, 163, 164, 168, 169, 172, 173, 177, 180, 181, 182, 183, 184, 187, 188, 189, 191, 192, 193, 194, 196, 198, 199, 200, 202, 205, 206, 207, 209, 210, 210A, 210B, 211, 212, and 213.

Which was read and referred to the Committee on Parks and Recreation.

**Mrs. Masloff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 3234 Resolution amending Resolution No. 552, effective June 18, 1979, entitled: "Providing for a contract or contracts for the renovation of Olympia Recreation Center and providing for the payment of the cost thereof", by decreasing the authorization to the actual amount expended.

Also,

No. 3235 Resolution providing for the letting of a contract or contracts or the use of existing contracts for the construction of Paulson Swimming Pool; and providing for the payment of the cost thereof.

Also,

No. 3236 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Lindsay Clack to travel to San Diego, Cal., July 7-9, 1981, to transport live birds being donated by San Diego Zoological Society to Pittsburgh Aviary, cost of trip not to exceed \$782.00, payable from Aviary Trust Fund.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley** presented

No. 3237 Communication Glenn Cannon, Director, Department of Emergency Medical Services, requesting permission for himself and Mary Hall to attend Pennsylvania Emergency Health Services Conference, Harrisburg, Pa., June 9-13, 1981, at a cost not to exceed \$800.00, payable from Code Account No. 1421, Miscellaneous Services, Emergency Medical Services.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson** presented

No. 3238 An Ordinance amending the Pittsburgh Code, Title Nine, Section 993.01(a)A(8) by revising the provisions of the Conditional Use Exception pertaining to Hospitals under the "I" Institutional District category.

Also,

No. 3239 Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the administration of the Lemington Home for the Aged Urban Development Action Grant Project; and providing for the payment of the cost thereof.

Also,

No. 3240 Resolution authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the utilization and implementation of the following programs: Neighborhood Commercial Improvement Program (CP-81-12); Urban Redevelopment Authority Planning, Management, and Administration of City Projects (CP-81-07) and the Urban Redevelopment Authority Property Management Program (UR-81-01).

Also,

No. 3241 Resolution amending Resolution No. 443 of 1980 as amended by Resolution 687 of 1980 providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Property Management and Maintenance Program; and providing for the payment of the cost thereof by increasing the cost thereof.

Also,

No. 3242 Resolution providing for Contract or Contracts with Oakland Planning Development Corporation, a non-profit corporation, for the purpose of purchasing and rehabilitating properties located at 414 and 416 Atwood Street to provide housing for the mentally handicapped at a cost not to exceed \$100,000 (One Hundred Thousand Dollars) and providing for the payment of the cost thereof.

Also,

No. 3243 Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of costs

thereof.

Also,

No. 3244 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pittsburgh Factors Company for the sale of Parcels 25A and 25D in the Third Ward of the City of Pittsburgh in a portion of Redevelopment Area No. 31

Also,

No. 3245 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ethel Mosley for the sale of Parcels 25B and 25C in the Third Ward of the City of Pittsburgh in a portion of Redevelopment Area No. 31.

Also,

No. 3246 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. Thomas and Anita L. Thomas for the sale of Block 124J, Lot 59 in the Twelfth Ward of the City of Pittsburgh.

Also,

No. 3247 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Bill Porter Wright for the sale of Block 174B, Lot 242 in the Thirteenth Ward of the City of Pittsburgh.

Also,

No. 3248 Resolution approving a form of Contract for Disposition of Land by and between the Urban

Redevelopment Authority of Pittsburgh and Miguel Sague and Lenia R. Sague for the sale of Block 174B, Lot 279 in the Thirteenth Ward of the City of Pittsburgh.

Also,

No. 3249 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Leonard Allen and Dorthea J. Buckner for the sale of Block 174R, Lot 139 in the Thirteenth Ward of the City of Pittsburgh.

Also,

No. 3250 Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gwendolyn Crawford for the sale of Block 175B, Lot 226 in the Thirteenth Ward of the City of Pittsburgh.

Also,

No. 3251 Resolution authorizing the Mayor to execute an Agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of financial settlement of Lower Hill Project No. UR Penna. 7-1, and concurrence by HUD in said agreement, providing for the maintenance and sale by Urban of remaining property in said Project, for the payment by the City of any obligations in excess of reserved funds in said Project, and for the treatment of reserved funds in excess of obligations as income due the Pennsylvania Department of Community Affairs and as CDBG program income.

Which were severally read and referred to the Committee on Planning, Housing

and Development.

**Mr. Stone presented**

No. 3252 Resolution of the City of Pittsburgh authorizing filing of a petition with the Court of Common Pleas of Allegheny County for approval of the funding of unfunded debt in the principal amount of \$10,000,000, by the issuance of notes or bonds in the principal amount of \$10,000,000.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th Calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 3253 Resolution of the City of Pittsburgh increasing the bonded indebtedness of the City of Pittsburgh by an issue of General Obligation Bonds in the principal amount of \$70,000,000 for the purpose of providing funds to pay a portion of the cost of acquiring and constructing its 1981 Capital Improvement Program, to refund City of Pittsburgh Bond Anticipation Notes, 1978 Series A, in the principal amount of \$1,224,000 and 1979 Series B, in the principal amount of \$8,500,000, to capitalize interest on the bonds, and to pay the costs of issuance of the bonds; and (1) approving etc.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by

providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 3254 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 246.04, Home Rule Earned Income Tax, Collection At Source, by amending Subsection (b) and adding Subsection (b) (1) to provide for monthly remittance of such taxes by employers who collect or who should collect \$200.00 or more in Earned Income Taxes from their employees during each month; and adding Subsection (b) (2) providing for penalties in the event of non-compliance.

Also,

No. 3255 An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 245.04, Earned Income Tax, Collection At Source, by amending Subsection (b) and adding Subsection (b) (1) to provide for monthly remittance of such taxes by employers who collect or who should collect \$200.00 or more in Earned Income Taxes from their employees during each month; and adding Subsection (b) (2) providing for penalties in the event of non-compliance.

Also,

No. 3256 An Ordinance amending the Pittsburgh Code, Title Two-Fiscal, Article I - Administration, by changing the rate of penalty on unpaid earned

income taxes withheld by employers.

Also,

No. 3257 Resolution providing for the issuance of a warrant to George G. Biddle and Margaret L. Biddle, his wife, c/o Harry Zimmer, Esquire, Meyer. Darragh, Buckler, Behenek and Eck, 25th Floor, Grant Building, Pittsburgh, PA 15219, in the amount of \$5,000.00 for the City of Pittsburgh's share of the settlement of claim for property damage, and providing for the payment thereof.

Also,

No. 3258 Resolution providing for the issuance of a warrant to Pellegrino A. Gaito and Catherine T. Gaito, his wife, c/o Alan Berman, Esquire, 806 Frick Building, Pittsburgh, Pennsylvania 15219, in the amount of \$7,500.00 and the issuance of a warrant to Fireman's Fund Insurance Co. in the amount of \$17,500.00 in full settlement of claim for personal injury and property damage and providing for the payment thereof.

Also,

No. 3259 Resolution transferring \$15,000.00 from Code Account No. 1067, Salaries - Wages, Regular and Temporary Employees, Parking Income and Services Division, Department of City Treasurer to Code Account No. 1061, Salaries, Temporary Employees, Department of City Treasurer.

Also,

No. 3260 Resolution amending Resolution No. 857, effective August 25, 1980, entitled, "A Resolution amending Resolution #632 of 1980, which amended Resolution #207 of 1980, entitled, 'Providing for a lease agreement or agreements with the Northern Area

Multi-Service Center of Allegheny County for a term of ten (10) years for lease of certain property of the City of Pittsburgh located at 3515 McClure Street, 27th Ward, upon certain terms and conditions, including provisions for the renovations of the facility and for payment of the cost thereof.", and further amending Resolution No. 1495 of 1978, by increasing the amount authorized.

Also,

No. 3261 Communication from John E. Gabriel, Executive Director, Commission on Human Relations, requesting permission from Charles Coston to attend Contract Compliance Conference, Cleveland, Ohio, June 15-16, 1981, at a cost not to exceed \$375.00, payable from Code Account No. 1035, Miscellaneous Services, Commission on Human Relations.

Also,

No. 3262 Communication from Richard S. Calliguirri, Mayor, requesting permission for George Whitmer to attend a meeting in regards to the State Budget and the proposed \$9 million cut in the State Urban Renewal Program in Harrisburg, Pa., June 2-3, 1981, at a cost not to exceed \$185.00, payable from Code Account No. 1017, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 3263 Resolution transferring the sum of \$50,000.00 from Code Account 1144, Gasoline and Diesel Oil, Bureau of Automotive Equipment, Department of Supplies to Code Account 1149, Tires, Tubes and Chains, Bureau of Automotive Equipment, Department of

Supplies.

Which was read and referred to the Department of Finance.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 3264 Resolution providing for Cooperaton Agreements with City authorities enabling the authorities to participate in or purchase of City contracts for the purchase of equipment, materials and supplies.

Which was read and referred to the Committee on Supplies.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 3265

Report of the Committee on Finance for May 27, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3171

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of West Penn Oil Company in the amount of \$401.99 in payment for automotive parts for the City Gas Tanker Truck furnished to the City of Pittsburgh without previous authority of law."

Which was read.

Also,

Bill No. 3183

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article XI - Chapter 181, Section 181.05 by increasing the out of town daily meal allowance to Thirty-Five Dollars (\$35.00) or the amount specified through collective bargaining."

Which was read.

Also,

Bill No. 3199

Resolution entitled, "Resolution transferring \$107,000.00 from Code Account 53, Reserve Fund - Debt Service - Auditorium Authority of Pittsburgh and Allegheny County to Parks and Recreation Special Summer Food Service Trust Fund."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the

bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 3266

Report of the Committee on Public Works for May 27, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also with an affirmative recommendation,

Bill No. 3172

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh for public walkway easement purposes, certain property of Tri-Point, Inc. c/o Frank J. Nascone, Merritt Corp., Club Floor, William Penn Hotel, situated on the northern side of Carson Street at the Duquesne Incline in the 19th Ward of the City of Pittsburgh.

Which was read.

**Mr. Stone:**

Mr. President, if I may, I would like to move to correct the spelling from

Marett to Maret.

**The Chair:**

Second on the correction?

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9                      NOES None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

Bill No. 3267

Report of the Committee on Planning, Housing and Development for May 27, 1981, transmitting sundry resolution to Council.

Which was read, received and filed.

Also with an affirmative recommendation,

Bill No. 3155

Resolution entitled, "Resolution directing the Executive Director of the Urban Redevelopment Authority (URA) to include with all proposed legislation for the acquisition of City-owned property a letter addressed to City Council containing information relative to the URA's plans for said property, and providing for up-dated time schedules of the Project Plan, and implementation of said Project Plan within one year of acquisition of said property. (AS AMENDED IN COMMITTEE.)

Also,

Bill No. 3179

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1981 Community Development Block Grant Program", so as to show a decrease in the basic grant amount from \$28,860,000 to \$24,957,000 by reducing various line items; and further, to adjust line item numbers to correspond with the Capital Budget; and further, to transfer several projects to the Department of City Planning; and finally, to add "Salaries" to several line items.

Also,

Bill No. 3180

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999, and 1563 of 1978; Resolution Nos. 252, 308, 590, and 706 of 1979; and by Resolution Nos. 352, 448, and 1191 of 1980, entitled, "Providing for the filing of an application by the City of Pittsburgh with the U.S.

Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program", so as to decrease line item HD-78-02, "Weatherizing Homes in Pittsburgh", from \$255,000 to \$251,790.87 (-\$3,209.13), and further, increase line item HD-78-13, "Housing Department Administration", from \$255,000 to \$258,209.13 (+\$3,209.13); and further to decrease line item CP-78-02, "Housing Counseling Services", from \$160,000 to \$151,895.02 (-\$8,104.98); and further to increase line item CP-78-03, "Neighborhood Lot Beautification", from \$40,000 to \$48,104.98 (+\$8,104.98).

Also,

Bill No. 3181

Resolution entitled, "Resolution amending Resolution No. 695, approved August 7, 1979, effective August 10, 1979, providing for periodic transfer of amounts not to exceed the aggregate sum of One Hundred Thousand Dollars (\$100,000.00), from the 1978 Community Development Block Grant Program Trust Fund (HD-78-02), Weatherizing Homes in Pittsburgh, Salaries, to the CETA T6, Trust Fund, Federal funds, to pay for Wages and Fringe Benefits to CETA enrollees in WHIP Program by reducing the total amount authorized to Ninety-Six Thousand Seven Hundred Ninety Dollars and Eighty-Seven Cents (\$96,790.87)."

Which were read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Stone:**

Mr. President, if I may.

**The Chair:**

Mr. Stone.

**Mr. Stone:**

On Bill 3155, in Section 1, after the words "lent of options" I would like to insert "and/or lents of the extensions thereof".

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

On the bill itself, Mr. President, I was not here when it was introduced or when it was in Committee. I have some deep reservations with some of the time constraints that are put on this particular bill. In Section 3, I think it's almost unrealistic for project plans not earlier than one year for the acquisition of said property. Failure to do so will revert back to the City of Pittsburgh. Most of this property is given from the City to the Urban Redevelopment Authority for the purposes of trying to develop that piece of land, and until it gets into the Authority's hands it's very difficult to try to develop. To try to put these time constraints, like up in Section 1, expected sales price, you have to survey that land. Now we're going to be surveying that land every six months because any survey, after about a 90 day period, whoever is going to acquire that property would want that property to be resurveyed. So we're going to be surveying and getting the title and the assessments on these properties two and three times over. Now this means cost to add to that. The cost of that particular land will have to be recouped to the Urban Redevelopment Authority or to the City of Pittsburgh. Most of the properties we have are properties that have been delinquent in taxes. So the people who presently own it, don't want it. I submit that I would like for this to



be recommitted back into Committee and I would like to speak with Mr. O'Malley and Michelle Madoff and get some consultation with them prior to making final passage of this bill. I make that in form of a motion, Mr. President.

**Mr. Stone:**

I think what he is implying is accurate, but I don't think that's really what was intended. It's kind of an automatic cancellation kind of thing. What was intended, and maybe I can — hear the words for a moment so we get the thought, then maybe we can amend it and save the problem.

Failure to do this will result in forfeiture of said land back to the City of Pittsburgh, if such, I want to add, if such delay is without good and just cause.

**Mr. O'Malley:**

Let me make a comment on Mr. Given's concern. This is not acquisition for the time the property leaves us to the URA, this is acquisition once the URA has the property, a private developer submitted plans for this property and takes control on that property. He has one year from the time the plans have been submitted, he takes ownership of that property to implement his plans.

**Mr. Givens:**

Jim, even that in itself is unrealistic. If you are a land developer, you'd have to appreciate to get your funding and financing and do the necessary things that are required. The normal time, if you historically go back and check all the land that was in the Urban Redevelopment Authority, when it was sold, when the first deliberations started on it, and when the final

transaction of the land itself, it generally is about a three year process.

**Mr. O'Malley:**

I disagree with that. When a developer is truly concerned about a piece of property like the Oxford Building here, that was bought, purchased and started within a year. I tend to believe a sincere developer, who already submitted his plans to the URA and said this is what I want to do if you give me this property, gets acquisition of that property and can't start it up or turn a spade of dirt within a years time.

**Mr. Givens:**

Well, this Dravo property was in the hands of the County, and the County used it as a particular vehicle parking area —

**Michelle Madoff:**

But you owe the City money.

**Mr. Givens:**

Most of that land can be acquired very quickly, but land that's in receivership because of taxation is something that's a little bit more difficult. You have to use that power of eminent domain.

**Mr. O'Malley:**

This is once all the back problems have been cleared up, URA has deed to the property and conveys that deed to a private developer. Right after that year starts.

**Mr. Givens:**

Okay, let me ask this one question. Did you consult with, have you put most of the burden on the Executive

Director of the Urban Redevelopment Authority, Steve George, did, infact, you sit down and discuss any of this with Steve George as to the administrative impact and how it might be lessened with the intent of your legislation?

**Mr. O'Malley:**

No. When I made the appointment with Steve George he was out of town and I ended up talking to his Administrative Assistant.

**Michelle Madoff:**

May I comment?

**Mr. Givens:**

His Administrative Assistant?

**Mr. O'Malley:**

Yes.

**Mr. Givens:**

He doesn't have an Administrative Assistant.

**Mr. O'Malley:**

There's another fellow that said Steve George was out of town and he directed me to him.

**Mr. Givens:**

Well, as I indicated, I would appreciate it if we could hold it for one week and I would like to go over it and hopefully we could —

**Mr. O'Malley:**

This bill is being held for, what, three weeks?

**Mr. Givens:**

Two weeks would be appropriate.

**Mr. O'Malley:**

I would consider going with Mr. Stone's amendment, but I would like to move the bill.

**Michelle Madoff:**

Comment.

**The Chair:**

Michelle Madoff.

**Michelle Madoff:**

I think Mr. Stone addressed this issue once before when he said, if I understood him correctly, that if somebody was busy developing the property and actively trying to raise money, and through no fault of their own, had a delay —

**Mr. Givens:**

Mr. President, there is a motion on the floor and she is not addressing the motion on the floor at this time.

**Michelle Madoff:**

No, I'm addressing the comment, I'm discussing the issue. We would not change the developer just to be arbitrary. Only when you have an episode that happened in the great high school where somebody got six extensions and couldn't ever raise the money. And that could have gone on infinitum. I think we have to address this issue so that Council doesn't vote in the dark. And I'd like to ask Mr. O'Malley something. Mr. O'Malley, have you included the suggestion that we have URA or is this going to be in another bill, this may not be in order at this point, to come in with a map and point out where

they're acquiring the properties to show us why and where in these little pieces of property. The people are constantly calling our offices and saying they want to buy, but they can't get them because URA has them, or is that going to be in a separate entity?

**Mr. O'Malley:**

I directed a letter to Steve George on that requesting a map of all properties to be sold.

**Michelle Madoff:**

And I asked Mr. DePasquale and he agreed and I guess Mr. McCray was going to follow up on that as well. But if you're doing it, I don't think we have to have six people do it.

**Mr. O'Malley:**

Mr. Stone, what was your amendment?

**Mr. Givens:**

Mr. President, as a member of the Authority Board, I would still appreciate it if my two colleagues would give me the opportunity to review this with the Authority and to get back with them.

**Michelle Madoff:**

The problem is the Authority.

**The Chair:**

Mr. O'Malley, you had a question on the amendment. What was the amendment?

**Mr. O'Malley:**

How much time do you require?

**Mr. Givens:**

I think you mentioned two weeks, Jim, and that was the form of my motion.

**Michelle Madoff:**

How about one week? As a compromise.

**Mr. O'Malley:**

With respect to Mr. Givens being on the Board, the Authority, it's okay.

**The Chair:**

Motion to recommit for two weeks?

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES None

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 3268

Report of the Committee on Water for May 27, 1981, transmitting sundry resolutions to Council

Which was read.

Also, with an affirmative recommendation,

Bill No. 3175

Resolution entitled, "Resolution repealing Reolution No. 165, approved February 13, 1981, effective February 24, 1981, entitled, "Resolution - adopting the 1979 Capital Budget allocating and setting aside amounts in connection therewith creating Capital Funds; transferring Bond Funds to said Capital Funds, by increasing the appropriation for project WD-79-03 60" Lowrie Street, Repair Bin Wall and decreasing appropriation for project WD-79-06 12" Line Boundary Street, Repair."

Which was read.

The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

- |                 |                |
|-----------------|----------------|
| Mr. Flaherty    | Mr. O'Malley   |
| Mr. Givens      | Mr. Stone      |
| Michelle Madoff | Mr. Woods      |
| Mrs. Masloff    | Mr. DePasquale |
|                 | (Pres't)       |

AYES 8 NOES None

And a majority of the votes of Council being in the affirmative, the bill passed finally.

MOTIONS AND RESOLUTIONS

Michelle Madoff:

Correction of the minutes.

The Chair:

We're not on the minutes yet, we're on Motions and Resolutions. Does anybody have a motion or resolution?

Mr. Flaherty:

Mr. President, a point of information. I have received a couple calls from the People's Oakland Group and they told me that they have contacted the Chief Clerk's Office in regard to the hearing that is scheduled on sticker parking in Oakland. And there seems to be a real concern as to the possibility of holding the hearing in the evening because there has been great response from the people in Oakland to be able to say how they feel in regard to this.

The Chair:

That meeting will be held in the morning like every other meeting.

Michelle Madoff:

No, wait. Is that a motion you're making? That it will be held in the evening?

Mr. Flaherty:

Yes.

Michelle Madoff:

Second the motion.

The Chair:

I'll set the time of the meetings and I'll set the place.

Michelle Madoff:

You may do that, Mr. President, but I think Council still has a right to its opinion.

**The Chair:**

I said the meeting will be held in the daytime. We're not going to make an exception for People's Oakland or any other group. We had that bill up once before because of that parking and its back up again. They got here the first time, they can get here the second time.

**Michelle Madoff:**

I just think that we ought to be accomodating because I don't like evening meetings, I don't like putting in twelve and eighteen hours a day, but I think it's a very important bill and if we can possibly accomodate them, I think we ought to. And I think it should be a consensus of Council whether we agree with the Mayor or not. May we have a roll call vote?

**Mr. Givens:**

She's out of order, Mr. President. Only the President of Council can set the meetings and hearings.

**The Chair:**

I said the voting was out of order.

**Michelle Madoff:**

Minutes.

**The Chair:**

Motion to approve the minutes?

**Mr. Givens:**

So moved.

**Michelle Madoff:**

A couple of errors in the minutes. On page 522 of the minutes of Tuesday, May 26, last paragraph where I'm quoted "When we voted on the bond issue at 118" it wasn't 118, it was 11.8, and that's percent. Does everybody see the left hand column under my name, second paragraph down?

**Mr. Stone:**

Yes.

**Michelle Madoff:**

Alright. At Mr. Ben Woods' swearing in ceremony there's a line left out. I want this for the record please. On page 533, out of nowhere, without any provocation, the President of Council says "and the well-known fact that some of you may be pleased and some of you displeased, probably Michelle Madoff will be displeased when she hears this" — Michelle Madoff responds: "I'm always pleased to see Ben Woods with us and don't speak for me and when you call women girls, I resent it." Then we go down later to the Chair, we can skip the dialogue in between, and there is a paragraph "The Chair" and in the middle of the paragraph, "I was prepared to resign and take a position with a certain firm and take my pension, and that's the part that would make you very sad Michelle, but now you're stuck with me for two and a half more years" and I said "Now I'm with you" and that line is left out. The reason I bring it up is that at the meeting this morning Mr. DePasquale called me a liar for saying that he had mentioned me by name, it is a matter of printed record —

**Mr. DePasquale:**

You said I called you a dissident. It is not in the minutes. You read them yourself.

**Michelle Madoff:**

I said dissident and displeased are the same.

**The Chair:**

I said I didn't call you a dissident. Is that all you have to discuss?

**Michelle Madoff:**

Displeased and dissident are the same. It was unprovoked, it was unbusinesslike, it was unprofessional, it was demeaning, degrading and disgusting, and I hope you will behave better. And I have a gift for you. It is a muzzle.

**The Chair:**

You should talk about behavior. A despicable person like you.

**Mr. Stone:**

I move to approve the minutes.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

and Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JUNE 8, 1981

No. 23

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, PA  
Monday, June 8, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

ABSENT: Mrs. Masloff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Mr. Robinson, it seems that you have quite a few people here and I don't know if they want to stay and watch Council in action that much, maybe we could take care of the resolutions before

the regular order of business.

#### Mr. Robinson presented

No. 3314 WHEREAS, in an affluent society as ours, many Pittsburghers go hungry because their incomes aren't enough to make ends meet; and

WHEREAS, all people should be able to purchase the amount and quality of food necessary to maintain a healthy life; and

WHEREAS, the United States Department of Agriculture's Food Stamp Program seeks to provide assistance to those individuals and families who need help in purchasing food; and

WHEREAS, the Hunger Action Coalition has vigorously fought the existence of hunger in Allegheny County; and

WHEREAS, every effort should be made to inform people about the Food Stamp Program and encourage those in need to participate in the program; and

WHEREAS, the Hunger Action Coalition has designated June 13, 1981 as Food Stamp Day throughout Pittsburgh as a means to inform and assist those eligible for the Food Stamp Program.

#### NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh on behalf of the citizens of Pittsburgh does recognize June 13, 1981 as Food Stamp Day in the City of Pittsburgh.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

If I might, there are some representatives of the Hunger Action Coalition here, I would like to present these gold seal copies to them.

**The Chair:**

Would those representatives that Councilman Robinson mentioned come to the front please.

**Ms. Shea:**

Thank you so much. I want to thank Councilman Robinson for introducing this resolution into Council. I am particularly grateful on behalf of the members of the Hunger Action Coalition. Perhaps this has pointed out that less than half of the people who are eligible for food stamps in Allegheny County are currently participating in the program. Through this resolution and its recognition through City Council and through our efforts on that day where various supermarkets and shopping areas throughout the City we're going to have food stamp information booths to get people enrolled in the program to introduce the program to people who do have questions about it, we are going to really help the problem of hunger in the City and Allegheny County and really help out those who are in need.

Again, let me thank Councilman Robinson and City Council for their help in this effort. Thank you.

**The Chair:**

I would like to thank the young lady for coming up and if I may add a few words, if this resolution can help in any way, form or shape I would certainly be happy about it, it just strikes me as a President who is going to make so many changes, so far has only attacked the elderly on social security and the poor with food stamps and relief. If that's the way to run things, well then maybe he's more cockeyed than I thought.

Mr. Robinson has another resolution.

**Mr. Robinson presented**

No. 3315 WHEREAS, the Westinghouse High School Concert Choir, under the direction of Miss Linda Ross, has distinguished itself over the years as one of Pittsburgh's finest high school choirs; and

WHEREAS, they have traveled through the Commonwealth of Pennsylvania presenting concerts at various colleges, churches, nursing homes and official functions; and

WHEREAS, the choir has acquired a reputation for high quality and excellence in musicianship and performance in the concert field; and

WHEREAS, in May of this year, the choir was invited to participate in the National/International Music Festival in Toronto, Canada, and was awarded first place for their performances; and

WHEREAS, choir members Darryl Williams and Julie Wood won first and second places respectively for their performance; and

WHEREAS, the choir received the trophies and two plaques during the competition in Toronto.



NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh on behalf of the citizens of Pittsburgh does honor Westinghouse High School and its Concert Choir and does recognize and appreciate the pride and honor they have added to the City of Pittsburgh.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President, I believe Miss Ross and some other representatives of the school are here to accept gold seal copies of this resolution and I might add that each member of the choir will receive a gold seal copy and I think certainly their performance is a testament to the fine youngsters that we do have in our City.

**The Chair:**

May Council add their congratulations to your great feat of coming in first in the concert choir contest. It is a great honor and certainly a great honor for the City of Pittsburgh.

**Miss Ross:**

On behalf of the Westinghouse High School Concert Choir, we are very thankful and pleased to accept these. We are also very proud to have brought the sweepstakes title back to the City of Pittsburgh. Again, thank you very much.

**The Chair:**

Thank you and again,

congratulations and thanks to all of you for taking the time to come here today.

And now the normal procedure business, Presentation of Papers, Mr. Flaherty.

## PRESENTATIONS

**Mr. Flaherty presented**

No. 3270 Resolution providing for the issuance of a warrant in favor of Cassady-Pierce Company, Inc., in the amounts of \$135.00, \$246.42 and \$146.00 totalling in the aggregate amount of \$527.67 in payment for materials purchased in connection with emergency roof repairs at the Lang Pool Building and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 3271 Resolution authorizing and directing the Mayor and the Director of the Department of Lands and Buildings on behalf of the City of Pittsburgh to lease to C.C.P. Enterprises a certain portion of the "Bell Farm" property situate in the 28th Ward bounded by Federal Street, Bell's Road, Turner Road and the R/W of the Pittsburgh, Cincinnati, Ohio, Chicago and St. Louis Railroad, for light industrial purposes for a term of 10 years with option to renew for one additional 10 year period, upon terms and conditions approved by the City Solicitor, for a total rental for the initial term of \$18,000, payable in equal monthly installments of \$150.00.

Also,

No. 3272 Resolution providing for a license to Duquesne Light Company for

the installation of one pole, together with crossarms, cables and wires and other necessary appurtenances on City property fronting on Paulson Avenue, 12th Ward.

Also,

No. 3273 Resolution providing for a license to Duquesne Light Company for the installation of one anchor on City property fronting on Bedford Avenue, 5th Ward, in connection with upgrading services in the area.

Also,

No. 3274 Resolution providing for a Cooperation Agreement/s with Allegheny Regional Branch Carnegie Library/Pittsburgh Public Theatre for the removal of architectural barriers to improve physical accessibility for the elderly and physically handicapped and providing for the payment of the cost thereof, total cost not to exceed \$220,000.00, payable from CDLB 80 and CDLB 81.

Also,

No. 3275 Resolution providing for the acquisition from Penn Central Corporation of certain property located in the 31st Ward, City of Pittsburgh for the development of a tot lot and providing for the cost of the payment thereof, total cost of which is not to exceed \$6,000.00 payable from Capital Project PR 78-23.

Also,

No. 3275 Resolution providing for the acquisition by the City of Pittsburgh from the School District of Pittsburgh of the Wightman School Building property, Solway Street, 14th Ward, and for the conveyance thereof to the Squirrel Hill Urban Coalition for purposes of a

community service facility.

Also,

No. 3277 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings, requesting interim approval of payment of \$6,200.00 to Rea Construction Company, Inc., and \$450.00 to A.R. Scalise, Inc., for extra work in connection with the construction of No. 22 Fire Station, Arlington Avenue, to be payable in amounts indicated from LB 77-03 and 1980 CDULO.

Also,

No. 3278 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings, requesting interim approval of payment of \$827.15 to Thermoflow Equipment Company, Inc., for emergency repairs on pumps for hot water system at Aviary, payable from Capital Project LB 77-09, Renovations, Various Public Buildings.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

No. 3279 Resolution providing for a contract/s for the grading, paving and curbing of Denniston Street from existing Aurelia Street to Marchand Street and the repaving of Aurelia Street from the proposed Denniston Street to a point 400± west of the proposed Denniston Street including work on private property, waterline installation and reinstallation and other work incidental thereto and providing for the payment of the cost thereof not to exceed \$310,000.00, payable from Code Accounts PW 81-05, WD 79-04 and WD 81-07.

Also,

No. 3280 Resolution providing for a contract/s for the construction of sidewalk ramps for the handicapped at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof, total cost not to exceed \$175,000.00, payable from Code Account CDPW 80-31, and CDPW 81-32.

Also,

No. 3281 Resolution providing for a contract/s for step reconstruction at various locations in the City of Pittsburgh and providing for the payment of the cost thereof, total cost not to exceed \$150,000.00 payable from Code Account No. PW 81-34.

Also,

No. 3282 Resolution providing for a contract/s for construction of the McKinley Park Steps and providing for the payment of the cost thereof, total cost not to exceed \$140,000.00, payable from Code Account No. CDPW 81-35.

Also,

No. 3283 Resolution changing the name of Cemetary Lane from Lanark Street to Meadville Street in the Twenty-Fifth (25th) Ward of the City of Pittsburgh to Television Hill Street.

Also,

No. 3284 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$18,927.55 to Golden Triangle Construction Company for additional work in connection with grading, paving and curbing of Benton Avenue to be payable from PW 80-32,

Miscellaneous Repairs to Streets and Structures.

Also,

No. 3285 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$18,162.40 to Dominic Nicassio, Inc., for extra work in connection with storm sewer construction on Pringle Street to be payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Also,

No. 3286 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$4,996.96 to Atwood and Bates Construction Company for extra work in connection with reconstruction of Forward/Murray and Pocusset Street intersection to be payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Also,

No. 3287 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$25,792.00 to Jac Construction Company for extra work in connection with repaving and widening of Fifth Avenue, to be payable from PW 80-32.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3288 Resolution providing for the issuance of a warrant in favor of Aetco Equipment, Inc., P.O. Box 874, Pittsburgh, PA 15221, in the amount of \$5,957.15, chargeable to and payable

from Code Account 1705, Repairs, Department of Water, for repair of two crane trucks in the Department of Water.

Also,

No. 3289 Resolution further amending Resolution No. 190, approved February 26, 1981, as amended by Resolution No. 428, approved May 1, 1981, entitled, "Providing for the issuance of a warrant in favor of Sciulli Brothers, Inc., in the amount of \$2,900.00" which changes the Capital Project Number and Encoding Numbers.

Which were read and referred to the Committee on Finance.

Also,

No. 3290 Resolution amending Resolution No. 1430, approved December 30, 1980, entitled "Adopting the 1981 through 1986 Capital Improvement Program".

Which was read and referred to the Committee on Water.

**Michelle Madoff for Mrs. Masloff presented**

No. 3291 Resolution authorizing the issuance of a warrant in favor of Arsenal Electric Company in the amount of \$1,045.00 in payment for work performed at Highland Park Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof (\$1,045.00 from 4-10-1380-79).

Which was read and referred to the Committee on Finance.

Also,

No. 3292 Resolution granting unto Joseph B. Carse and Debra A. Carse of 1938 Broadway Avenue, 20th Ward of the City of Pittsburgh, their successors and assigns, the license and privilege to construct and maintain a sewer and use an easement for said sewer under and across property owned by the City of Pittsburgh in the 20th Ward.

Which was read and referred to the Committee on Public Works.

Also,

No. 3293 Resolution providing for the letting of a contract/s or use of existing contracts in connection with the construction of Volunteer's Field; and providing for the payment of the cost thereof, \$80,000.00 from 4-10-1595-80.

Also,

No. 3294 Resolution providing for an Agreement/s or use of existing Agreements for architectural, engineering, or other professional services in connection with the design of the Westwood Swimming Pool and providing for the payment of the cost thereof, \$1,435.00 from 4-10-05-1353-80, PR 80-10.

Also,

No. 3295 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$3,500.00 for purchase of collection of books and paintings from Aviary Trust Fund.

Also,

No. 3296 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$2,200.00 for work in connection with installation

of watering sprinkler system at Frick Park Tennis Courts.

Also,

No. 3297 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$385.00 for extra work in connection with extra work in connection with electrical contract at Highland Bathhouse.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 3298 Resolution amending Resolution No. 496 of 1981 entitled, "A Resolution authorizing... an Agreement/s with the Urban League of Pittsburgh for City-wide housing counseling and housing information services to the City..." by increasing the authorized amount from \$270,000.00 to \$300,000.00.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 3299 Resolution approving the execution of a Disposition Contract by and between URA and John F. Wally and Barbara S. Wally for the sale of Block

115C, Lot 166 in the Twenty-Sixth Ward Residential Land Reserve Fund (395 Vinceton Street).

Also,

No. 3300 Resolution approving execution of a Disposition Contract by and between URA and R.M. Passino and P.L. Passino for the sale of Block 230 Lot 132 in the Twenty-Fifth Ward Residential Land Reserve Fund (1409 1411 Sandusky Street).

Also,

No. 3301 Resolution approving execution of a Disposition Contract by and between URA and David E. Weaver for the sale of Block 22D, Lot 10, in the Twenty-Fifth Ward, Residential Land Reserve Fund (2129 Brighton Road).

Also,

No. 3302 Resolution approving the execution of contracts by and between URA and various Redevelopers for the sale of properties in the 25th Ward Residential Land Reserve Fund.

Also,

No. 3303 Resolution approving execution of Contracts by and between URA and various Redevelopers for the sale of properties in the 26th Ward Residential Land Reserve Fund.

Also,

No. 3304 Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 16 by changing from "S" and "M2" to "M3" Light Industrial District all that certain property located on the easterly side of Washington Boulevard north of Frankstown Avenue 12th Ward.

Also,

No. 3305 Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 5 & 6 by changing from "R2" Two-Family Residence District to "RP" Planned Residential Unit Development District certain property located between McClure Avenue and Fleming Avenue, at the terminus of Letort Street, 27th Ward.

Also,

No. 3306 Resolution approving a Conditional Use under Section 993.01(a)A33 of the Pittsburgh Code, Title Nine, Zoning, for construction of a nine-story, 98 dwelling unit housing facility for the elderly located between McClure Avenue and Fleming Avenue at the terminus of Letort Street, 27th Ward.

Also,

No. 3307 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Gary Erenrich to attend Interstate Highway Task Force Meeting, Washington, DC, June 9-10, 1981 at a cost not to exceed \$100.00, payable from Code Account No. 1103, Miscellaneous Services, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 3308 Resolution providing for the issuance of a \$6,349.56 warrant in favor of Jeffrey Cohen and Carol Brown in settlement of claim for property damage due to a malfunction in the City's main sewer line, charging same to Code Account No. 46, Judgments.

Which was read and referred to the Committee on Finance.

**REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 3309

Report of the Committee on Finance for June 3, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3194

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Casciato Brothers in the amount of Five Thousand Three Hundred Sixty Two Dollars and Thirty Nine Cents (\$5,362.39) in payment for "Additional Work" furnished for the benefit of the City in connection with the construction and/or reconstruction of catch basins at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3195

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Terra Testing Company in the amount of One Thousand Two Hundred Eighty (\$1,280.00) Dollars in payment for work furnished for the benefit of the City in connection with the reconstruction of Forward/Murray and Pocusset Street Intersection; and providing for the payment of the cost

thereof."

Which was read.

Also,

Bill No. 3196

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Atwood and Bates Construction Company in the amount of Two Thousand Seven Hundred Fifty (\$2,750.00) Dollars in payment for "Extra Work" furnished for the benefit of the City in connection with the reconstruction of the Forward/Murray and Pocusset Street Intersection; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3200

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Hendee Zoological Company, in the amount of \$5,565.00, in payment for the purchase of live birds for display at the Aviary, furnished for the benefit of the City without previous authority of Law; and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

Mr. President, a very quick comment, I had occasion to go to the Zoo recently, and I must admit I have not been there in many, many years. I finally saw the escalator that we keep repairing and I saw the filth that I cannot believe existed and it was on a Friday afternoon before the crowds even started for the weekend. I had had some correspondence in my office from some

attorneys who wondered why the City was not providing some kind of mini-transportation, like a little, something like the San Francisco Zoo does, they have a little rail car that can take you through the Zoo where people can sit and go through it, people with hearing conditions and so on. Here we are buying birds for \$5,565.00. I believe if I ask Sophie, the money is coming from operating funds, not from federal dollars and not from monies from foundations. I think that we need to have a post agenda sometime on what we can do to make that a better Zoo and some plans on what the Zoo is planning to do. I just wanted to take the opportunity to point out that maybe more than the birds, we need to get people so they can go see the birds that we already have.

**The Chair:**

You are talking about the regular Zoo?

**Michelle Madoff:**

Well, the Zoological Commission putting out the money and I'm just making a point that when we have dollars maybe we ought to spend them on a priority basis.

**The Chair:**

Your point is well taken, the few times I've been out there I wasn't too proud of the Zoo either.

**Michelle Madoff:**

Have you been there recently Sir?

**The Chair:**

I've haven't been to the Aviary, I've been to the Zoo.

**Michelle Madoff:**

Do you believe that filth and how you can't even get up the — if the escalator is working, fine. You park a mile from the place, you can't get through the place.

**The Chair:**

It could be improved.

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3215

Resolution entitled, "Resolution providing for an Agreement or Agreements with Compad International Company, Inc. to provide classroom training in the printing field for thirty (30) CETA participants and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3252

Resolution entitled, "Resolution of the City of Pittsburgh authorizing filing of a petition with the Court of Common Pleas of Allegheny County for approval of the funding of Unfunded Debt in the principal amount of \$10,000,000, by the issuance of notes or bonds in the principal amount of \$10,000,000."

Which was read.

**Mr. Stone:**

On Bill No. 3252, I move to delete Section 3.

**Michelle Madoff:**

3252 or 3253? To delete section...

**Mr. Stone:**

Its surplus, that paragraph.

**Michelle Madoff:**



I can't find it, can you wait a moment please?

**Mr. Stone:**

Its on the bottom.

**Michelle Madoff:**

What section is it?

**Mr. Stone:**

Page two of that.

**Michelle Madoff:**

Page two of — you mean 3253, is that what you mean?

**Mr. Stone:**

3252. All there is on the first page are the "Whereas's", but on Section 3, which is page two of that bill, the way it is printed for you, is deleting Section 3.

**Michelle Madoff:**

"This resolution will become valid"...

**Mr. Stone:**

Correct.

**Michelle Madoff:**

Why are we doing it? Why do you want that deleted?

**Mr. Stone:**

Its surplus, it is not necessary.

**Michelle Madoff:**

It holds it up?

**Mr. Stone:**

Its not necessary.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

Mr. President, on Bill No. 3252 that's on the \$10 Million. My comment are that on the 8th of June, that the City Clerk received a letter, I don't know if the Council people had an opportunity to read that letter because it just came in — what time did that come in Mike?

**Mr. Perry:**

Around 1:00 p.m.

**Michelle Madoff:**

What day?

**Mr. Perry:**

Today at 1:00.

**Mr. Givens:**

Did you give copies to the Councilmembers?

**Mr. Perry:**

Yes.

**Mr. Givens:**

Okay, you have them before you here.

**Michelle Madoff:**

Where is the letter?

**Mr. Givens:**

Its on your desk.

**Mr. Perry:**

No, it is in the mail slots.

**Michelle Madoff:**

Since we never look in there.

**Mr. Givens:**

I'll go back over the letter that was requested by Council and specifically on Wednesday's session where the Chief Clerk had asked the following questions to the County of Allegheny, Board of Property Assessment, Appeals and Review. Leo McLaughlin, the Chairman over there, we asked the following questions: When did you become aware that the City of Pittsburgh was obligated to pay this unfunded debt of \$10 Million and when did you inform the City of Pittsburgh of this obligation and what procedures did you use to convey this information?

The reply back, about a third of the way down the page, "On November 5th and November 10th, the office submitted to the City Treasurer, and also November 5th and November 12th, to the Controller of the City of Pittsburgh, its estimated total assessment of 1981, both land and buildings and personal property.

On January 15, 1981, the Board of Property Assessment, Appeals and Review forwarded to the City Controller and to the City Clerk its certified total assessment for 1981, of land and of buildings."

On their second page, they indicate, "early in 1979, 1980 and 1981, the City and the School Board were furnished with copies of all appeals which were filed against the property assessment for respective assessment periods. The City notified the Board of Assessors of its intention to intervene

and all assessment appeals hearings. The Board thereafter supplied the City and the School Board with notices of all eview. Leo McLaughlin, the Chairman over there, we asked the following questions: When did you become aware that the City of Pittsburgh was obligated to pay this unfunded debt of \$10 Million and when did you inform the City of Pittsburgh of this obligation and what procedures did you use to convey this information?

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On their second page, they indicate, "early in 1979, 1980 and 1981, the City and the School Board were furnished with copies of all appeals which were filed against the property assessment for respective assessment periods. The City notified the Board of Assessors of its intention to intervene and all assessment appeals hearings. The Board thereafter supplied the City and the School Board with notices of all appeal hearings." This is very critical right here in the fact that the City did want to intervene. The majority of these cases was so indicated in my discussion on Wednesday that the majority of the cases were heard in the spring of 1980, with the final verdicts coming out no later than about the fall of the year, October or November, and that the City in fact, including the School Board, were

wanting to intervene in any of these cases, which meant that people from our City Treasury, I would assume, and our legal department, were sitting in on some of these reviews and wanting to appeal them.

"Upon disposition of each appeal," as so indicated in this letter, "the Board furnished the City and the School Board with a copy of the dispositions setting forth in detail, each change of the assessment."

As to the question asking when the board became aware of the magnitude of the changes of assessment, "the hearing and review process is an ongoing procedure". Which indicates to me that as the Board of Assessment and Appeals heard these cases, so was the City notified of the judgments put against them.

"The Board has been constantly aware of assessment being processed and it has properly and continuously forwarded that information to the City and to the School Board."

Gentlemen, I have to submit that the City was knowledgeable of the indebtedness of this \$10 Million that we are into, I submit that the Administration submitted to this Council a \$10 Million deficit in the budget year of 1981 which it did not do. This Council now is faced with going out for bonds and notes in a bond and note market which is the highest in my lifetime and probably is one of the highest in this Country.

I would submit and say to the Council, and I have to get a little bit of information from our Treasury on this; why should we go out and borrow \$10 Million at this particular time at a high market rate? Why can we not — and I'm sure it might have been considered, credit the accounts of these

delinquencies that we owe these people or the refunds that we owe these people to their 1982 Real Estate Tax. And how would this then, affect the bond rating that we are going out for at both the \$10 Million and especially the \$70 Million.

My end question then, borrowing the \$10 Million note or bond for amount of years and what this bond is going to cost us percentage-wise, versus taking it out of our hide in the tax year of 1982. If I could have Ron Schmeiss go to the microphone there and give us answers to these various questions.

#### **The Chair:**

Mr. Givens, I have to ask you one question. Are you saying then, that the information was known and it was withheld so there would be no tax increase in 1981?

#### **Mr. Givens:**

I'm saying the letter from the County to the City of Pittsburgh so indicated that the City of Pittsburgh was very cognizant of and sat in on all of the deliberations of the assessment so they could make appeals to these assessments and in fact, that this was going on during the spring, summer and most 85 of the 22,000 that had appealed, up to that time, were so notified, therein, City people, whoever those people were. I can't say who they were, they should have known the magnitude of the refund that the people of the City of Pittsburgh were going to get. And they should get them. I agree to it. But that should have been brought to this Council's attention and it was not.

To me, even in accordance with the rules and borrowing money, when we went out on the bond fund issues and borrowed it, for the \$37 Million and the \$9 Million at the beginning of this year

there is a true statement in there, that is supposed to bring up all of the indebtedness that the City of Pittsburgh has. Someplace, somewhere, that fell between the floor. Either the bond people didn't get it up or the City of Pittsburgh did not make them aware of it. This is something that is hedging on impropriety.

Ron, my question -- do you want me to re-state it?

**The Chair:**

One moment, I think Mr. Stone had something to touch upon on the same subject.

**Mr. Stone:**

Mr. President, if I may, I think if you read page one of the letter, it answers part of it. In November, what they did was give an estimate. They didn't certify it, which means an estimate is nothing in November, its certification is January of '81, and then if you understand the process you know that there are appeals, you know that they had a whole conglomerate of appeals, probably more than they have ever had in their history. They were coming up, our people participated, I don't think the Treasurer has ever said the City didn't participate. What he did say was that they did participate. But until the hearing is over from the assessment board, they don't know what the figure is, even if there was a certification of the overall assessment level. In addition to that, there are still some appeals on. I think you have to understand the total procedural matter that is involved here before you start criticizing it, quite honestly.

**The Chair:**

I think you explained it rather well,

do you still want to say something Mr. Schmeiser.

**Mr. Givens:**

Excuse me Mr. President, I would like to make comment on what Mr. Stone has indicated. It was an ongoing procedure. Now, you know, all you have to have is a little adding machine there to find out in each appeal, what the people were asking for and what the assessment board did. That the majority were completed and finished in the fall of that year. If we were in fact, monitoring, or so this letter indicates that we were monitoring, those people then had a right at that particular time. If the County, and if the School Board of the City of Pittsburgh could set aside sufficient funds and had funds extra and above that to set aside, or with this particular issue, then why did not the City of Pittsburgh do likewise?

**The Chair:**

You are saying one thing and Mr. Stone is saying another, perhaps Mr. Schmeiser should come to the microphone and clarify the matter. Mr. Stone is saying they weren't aware of all of the assessments and the amounts until January.

**Mr. Stone:**

No, I didn't say that. You couldn't ascertain the finished results until after the appeals were finished.

**The Chair:**

Right, I think we are all aware that we couldn't have a figure that amount of money was owed, I think everybody knew that.

**Mr. Stone:**

You can't ascertain your total figure until you exhaust all of the appeal procedures. Some are still on appeal.

**Michelle Madoff:**

When was that done Mr. Stone? The bulk of them according to Mr. Givens were over in November, is that correct?

**Mr. Givens:**

The City only has 30 days --

**The Chair:**

Mr. Schmeiser has the floor, let's let him explain it, okay?

**Mr. Schmeiser:**

Mr. Givens, let me repeat, once again, as I said last Wednesday, we were not aware of the magnitude of this problem when we submitted the budget. We did not receive the disposition of most of those appeals until at the earliest, January. The first I learned of the magnitude of this problem was in March. We still don't know what the magnitude is. There are a thousand appeals which have yet to be disposed of and which we have not received the amounts of. Yes, we knew that these appeals were filed. We had no idea of the amount of the reductions.

**Mr. Givens:**

Well, you say that but I can't go along with that. If we have someone monitoring every appeal and of the majority, 85% to 90% of 22,000 were handled by that appeal procedure and then they only have 30 days to appeal, 30 days the City, or the individual himself, if he felt that he did not receive just payments, that is very quickly in the courts of this Commonwealth. So I cannot understand why no one from your

department or any other department the City of Pittsburgh did not know that. You cannot tell that to me in 10 years, I cannot believe that. You knew the magnitude of it and it was great. For us to only fund what was it? \$1 Million in that account, when the School Board and others who have a much smaller proportion of that refund, were putting greater amounts of money there to repay these people, and the County did likewise, it is only the City of Pittsburgh who came out with a \$1 Million deficit and the fact that we did not fund that deficit, and now we are trying to go out and borrow \$10 Million.

My second question then is, can we not defer this until the 1982 --

**Mr. Stone:**

The answer is no.

**Mr. Schmeiser:**

Mr. Givens, as I told you on Wednesday, this would jeopardize our bond issue, and the interest rate we are going to pay on the bond issue. Because our debt service is excessive next year this would simply add to our problem next year.

**Mr. Givens:**

Excuse me, the point is, why would it affect our bond rating if we say in fact, to all these people by letter, from your department, that this will be, the delinquency that the City owes these individuals will be taken out of the 1982 tax year?

**Mr. Schmeiser:**

Because it means that we will have additional debt in 1982. Naturally.

**Mr. Stone:**

Not only that, they have to agree to it.

**Mr. Schmeiser:**

What I have proposed is that we extend this debt over a five year period to level off our debt payments.

**Mr. Givens:**

That seems very worthy like in any corporation or in anybody's bank account or the costs that they have, the bills that they have to pay out, that they like to string that out over as long a period as possible, but in the end result, the taxpayers are paying the bill.

**Mr. Schmeiser:**

That's right.

**Mr. Givens:**

Would the taxpayer want to pay that bill immediately, meaning just put it against their total assessment next year, or would they want to go out and borrow on that \$10 Million that we owe.

**Michelle Madoff:**

Borrow, five years.

**Mr. Schmeiser:**

Again, let me say, we have a \$29 Million debt service next year. This is a tremendous burden on next year's budget. We add \$10 Million that will be \$39 Million.

**Mr. Givens:**

You are going to come in with new legislation very quickly, probably before the end of this year is out, on that indebted service that we have for next year because a lot of that is on notes

that are maturing for that particular year. You've got some 20 what?

**Mr. Schmeiser:**

No, included in this bond issue of \$70 Million is refunding of \$11 Million of notes.

**Mr. Givens:**

I'm looking at the schedule for 1982 as it appears right now, on all of the notes that mature, we will owe interest and principle of \$14 Million and we have \$13 Million on the bonds. So, add those two up and we end up with about \$26 Million.

**Mr. Schmeiser:**

Reduce that by the \$11 Million we are refunding with this issue plus the debt service on the new issue, it amounts to \$29 Million.

**Mr. Givens:**

You are saying the \$13 Million we are going to hopefully put into notes will then do away with that \$8.5 Million.

**Mr. Schmeiser:**

That's right, we will. That is what we intend to do.

**Mr. Givens:**

You intend to have the interest of five thousand some dollars, will we not?

**Mr. Schmeiser:**

That's right.

**Mr. Givens:**

We'll have to pay up on that too. This is one that is leading into the other

and I have to be -- all of us are taxpayers and you know, if the \$70 Million note goes, fine, but I can't see how any -- I'm not a bonder, but people who sell the bonds can say that if we, the City of Pittsburgh are going to say, we are going to indebt, or pass this on to next year's tax --

**The Chair:**

Mr. Givens, if I may, I believe the purpose of hiring Mr. Katz, or his firm from New York City, is the very reason you are saying, to try to alleviate the situation to the best of their ability and certainly to the benefit of the taxpayers and I think they know a little more about it than you do and I do and probably anybody in this room and that may even go for Mr. Schmeiser. So, I mean, we could belabor the point all day, and the thing has to be paid and whichever way they are saying to pay it I think, is going to be the best way and the way that is going to hurt the least.

**Mr. Givens:**

Mr. President, what I am trying to say is that the other two taxing bodies, knowing that this was coming up, set aside certain monies and they might have set these aside in a two year period. Wherein the City of Pittsburgh could have done likewise --

**The Chair:**

Where would you set it aside from Dick?

**Mr. Givens:**

Well excuse me, right now, for example, we have a year from the time --

**The Chair:**

You couldn't wave a wand and find this money and set it aside.

**Michelle Madoff:**

Where are you going to get it next year with the taxes?

**Mr. Givens:**

Do I have the floor or don't I?

**The Chair:**

You have the floor.

**Mr. Givens:**

We have one year from the time -- if the City does not appeal, we have one year from that date before any interest being incurred on that indebtedness. We would submit that the people in the City of Pittsburgh would rather have this refunded to their particular account.

**Michelle Madoff:**

Ridiculous.

**Mr. Givens:**

And next year we are going to have to bite the bullet, yes. And right now, we would submit that from what the Treasurer had indicated to us Wednesday that of this \$10 Million that we are borrowing there is only about, what? \$5 Million that we have right now that we have to pay back? I mean there are other cases that are coming in, as you indicated.

**Mr. Schmeiser:**

\$10 Million is an outside estimate.

**Mr. Givens:**

What is the total amount that you

have in hand today.

**Mr. Schmeiser:**

About \$6 Million.

**Mr. Givens:**

And my point is that until he receives that, we have until -- we have one year to pay that out. And the way I look at this one particular bill, I would like to hold it and have these people be refunded their money through the tax next year and for us not to have to go out and borrow, because when we borrow we are going to have to pay back that \$10 Million and in today's market that \$10 Million is going to cost us about \$15 Million or a total of \$25 Million, that the taxpayers in the City of Pittsburgh are going to have to pay back. Now how would they want it? Taken out of their hide? Or be refunded the next year and the City then would have to have -- we'd have a little bit of a crunch next year, but I agree. But what Ron Schmeiser is saying up here, that the total bill that we have, the total indebtedness for 1982 that we are going to have to come up with and pay in 1982, we are going to be floating additional bond issues before this year is out to liquidate the majority of that bill.

**Mr. Schmeiser:**

Mr. Givens, I respect your concern for the taxpayers, I have a similar concern I can assure you. President DePasquale made a good point and I should have made it myself, that is that we have had some of the best financial minds and legal minds in the entire country working on this problem. I went to New York and talked to three or four banks about this problem, we have talked to legal counsel, that the plan we have proposed is the best -- in our opinion, it is the best for the people of the City of

Pittsburgh. Particularly in terms of what it is going to cost us in our bond issue. As I mentioned Wednesday, we have to have this problem resolved for our rating agencies. We had meetings with the rating agencies Thursday and Friday, they went extremely well. I beseech you not to rock the boat at this point.

**Mr. Givens:**

Well, I'd have to comment on that, that historically there has been at least two people on this Council that have so indicated to the Administration, to you, to other treasurers to buy bonds back at a time that the bond reduction was such that it was that level at that particular year. And to go out on this type of a market right now and you say you had the best financial experts in the world, then I would say that this man, from Bloomfield section of the City of Pittsburgh, and not a financial wizard, was telling you a long time ago to go out and buy these bonds when the interest rates were 6% and 7% and you ignored that. The Mayor ignored that. And I sit here three and four years later and you say go out and buy. I just can't buy that.

**Michelle Madoff:**

Mr. President, let's put this into perspective if I may. I think that Mr. Stone spoke for many of us and perhaps all of us, when he has every year that I have been on Council stated we must go out for bonds earlier and unfortunately they didn't listen to perhaps a better financial mind. I hate to pay him these compliments but perhaps he knew better than anyone else when he talked about inflation eating up the rates and the issue is that, and the point that Mr. Givens makes now is that we are doing perhaps a little bit too little too late. But, we did have the best people. Its like getting sick and going to the doctor and



getting the best doctor, saying how do you get well? What they are saying is that the best medicine for the illness is what you are proposing, to pay it off over five years, because that would be the least burden on the public and because by '83 we'll start getting some taxes and revenue from the Oxford and all the Renaissance II which will help to offset the debt.

However, there are a couple of things that must be addressed at this time. The issue isn't how did we get there and that we are sick, but how are we going to stop from getting there again. This goes to the point that Councilman O'Malley, Councilman Flaherty and myself and others have touched on many times. I am tired of being window dressing. I am tired of this Council being asked for, you know, when we want your opinion, we will give it to you.

It is humanly impossible to be cloned. We are not computers, we don't have little computers in our heads. It is impossible to deal with the volume of business that goes before Council with the number of staff people that we have. I think it is unfortunate that one of the reporters, in publishing what the staff people get in working for City Council and perhaps lumping together the people who work for Mr. Perry with those who work for the members of City Council and mixing apples and oranges. My aide is not here now, she should be, hearing what we are talking about so if I wanted her to follow through on something she would know to do it. Not only do I go through this hassle now, I have to go back and tell her what happened. That takes a lot out of me. That's why I have esophagitis. We need to have an administrative assistant who can do research. We need a staff person in our office. When we want to talk to somebody on the phone our aides should

not be out in the hall. We need to be able to follow through on these things when they happen as Mr. Givens said last November, to be able to, amongst many of the things happening, to have gone to see our Treasurer and to perhaps ask the question I am going to ask. The Controller was aware of it, did he keep record? What did our Controller do about it? We just cannot deal with all the issues. Would you like to address that one? What happened with the Controller? Didn't he come before Council and tell us that we have a problem?

There is no doubt in my mind that Mr. Givens' point is well taken, that last November, certainly by January of this year and you have attested and supported his position Mr. Schmeiser, then indeed we had some magnitude of the sin. That by then we knew it was going to be substantive and that the School Board and others had put monies aside. We are in an election year, we all understand how the game is played, allright, be that as it may.

Now, you can't go ahead and say "Well next year Mr. Givens, we are going to rectify it and let's bite the bullet because everybody sitting here has an ounce of intelligence", and I'd like to think we all do or we wouldn't have been elected, an ounce at least, know that we are going to have a tax increase that is going to choke a horse next year. We can't put this on the people next year. And we are reaching a point right now where we are practically overextending on our bonding. Isn't that right Mr. Schmeiser? How close are we to being overextended.

**Mr. Schmeiser:**

No, we are not.

**Michelle Madoff:**

Well when do you consider that we are overextended? When the water monies go into the General Fund?

**Mr. Schmeiser:**

Our legal debt limit is \$407 Million.

**Michelle Madoff:**

I'm not interested in the legal definition.

**Mr. Schmeiser:**

And with the bonds outstanding we'll have \$215 Million.

**Michelle Madoff:**

Allright, what do you consider, as Treasurer of this City, that we are getting close to being overextended. I'm not interested in legal definition. I don't want to be another Cleveland.

**Mr. Schmeiser:**

We are approaching that figure.

**Michelle Madoff:**

Thank you, that is what I wanted you to say and I wanted that on the record. Did you hear what our Treasurer said? We are approaching that figure of being overextended.

Now I would also like to point out that the bond issue of \$70 Million goes until February of '81. Guess what? We come back here again for another bond. Because as Mr. Stone has said, repeatedly, if we don't go out on those capital improvements, that the inflation is going to kill us. So that we are really going and going and going and some way or other this Council has to be able to function better and we need staff and we need space to put our staff, and for the

record, and I hope somebody picks this up for the media — anybody. We are cheating the public. We Councilpeople are cheating the public because we are being penny-wise and pound foolish. We are not doing our jobs. Not because we don't want to and not because we are not people of good faith and good intention, but because we don't have the staff to do it. We cannot be aware of what is happening. When I sit on this Council and I say, "Sophie, you just moved on a bill for \$100,000, it has been seconded and we are voting on it, why is it \$175,000?" and she says, "I don't know". Or when I ask Mr. Stone, "How can we have it written — the amount of \$26,000, not to exceed \$5,000?" and he says, "Oh, that was a typographical error." Its because he can't be cloned, she can't be cloned and I can't be cloned and we need some staff to do some of this follow up-work.

**The Chair:**

Okay Michelle, you made your point on staff, any more?

**Michelle Madoff:**

And I would like, perhaps, Mr. O'Malley to comment on that. Because I don't want to end up at the end of this year giving us some staff and then we go to —

**Mr. Stone:**

Point of order Mr. President.

**The Chair:**

Allright, no more.

**Michelle Madoff:**

It all ties together.

**The Chair:**

Allright Michelle, you've said staff 55 times, we are all convinced of that.

**Mr. Stone:**

Mr. President, if I may, I don't want to go into a long disertation —

**The Chair:**

Please don't.

**Mr. Stone:**

...which was divided by some of our remarks off the point, but I think we are down to deciding right now to pass these two particular pieces of legislation along with the others. I have been quoted as being that person who has been in the forefront for the last five years, of trying to advise this City on when and how to buy bonds and I think I was, at that particular moment, in the background, probably by myself there for a while. Nevertheless, there seems to be a new pursuit and I think that if anyone is going to now get into the arena of fiscal managment for the City of Pittsburgh they are going to have to learn about it before they talk about it. And what I mean by that is this; we don't have the luxury of sitting still because inflation is eroding it worse than any interest rate would erode it. We are attempting to go out and as the Treasurer has indicated, we have dealt with the fiscal experts in this field and considering our overall obligations and considering all of our potential relative to the \$7 Million of indebtedness, taking everything into consideration and taking the lesser of evils and taking the best possible choice on this particular date, we have no alternative but to move at this particular point. To engage in rhetoric, to try to blame other people and try to find some reason why they did this and why they did that, it is easy to accuse, it is easy to say it is this way or

that way, because unfortunately, we don't understand the total picture. If we understood the picture we wouldn't have any necessity for saying, "Somebody knew, or I knew and you didn't know." That, I think is a regretful thing. We are faced with a situation that we need this money now. I think we ought to cease rhetoric and let's get on with passing the bill, move for the question.

**The Chair:**

The question is called for.

**Mr. Givens:**

I am voting no on Bill No. 3252 because I felt the information I received indicated that the City did in fact have this information. Also, I would like to see comments from Wednesday's meeting incorporated into the minutes.

**MR. GIVENS REMARKS ON BILL NO. 3252 FROM THE MEETING OF WEDNESDAY, JUNE 3, 1981:**

**Mr. Givens:**

I have some questions. When did this come to your attention? I know it has been going on for a number of years. We have been reading about it in the newspapers. Why are you just coming to Council today for this?

**Mr. Schmeiser:**

The appeal period ended sometime in February, and we have been getting them weekly.

**Mr. Givens:**

You have been getting them weekly from when?

**Mr. Schmeiser:**

Since January and February.

**Mr. Givens:**

Of this year?

**Mr. Schmeiser:**

Yes, and we didn't know what the enormity of it was. We still don't know exactly what the amount will be. We think at the outside it will be \$10,000,000.

**Mr. Givens:**

You mean you're only receiving documentation from the County from January and February?

**Mr. Schmeiser:**

We're still getting it; that's right.

**Mr. Givens:**

And you're still getting it for the year 1980?

**Mr. Schmeiser:**

Yes, 1980 and 1981. There are still 1,000 cases being considered by the Board of Property Appeals.

**Mr. Givens:**

When did you receive your first notification of someone who had a refund?

**Mr. Schmeiser:**

We received some at the end of last year, and we budgeted. Last year's refunds amounted to \$500,000. That's 1980, so for 1981, recognizing the problem was likely to exist, we budgeted \$1,200,000, almost two-and-a-half times last year's expenses; but we had no idea

it would amount to these proportions.

**Mr. Givens:**

Ron, I just have to scratch my head a little bit. When I called over at the County when this thing was presented to Council on Monday, and I had found in the spring of 1980 is when the majority of the cases were heard, in the fall of 80 85 percent of the refunds, the people were so notified of their refunds. Now, there seems to be a breakdown in government if the County cannot communicate with the City. From the fall of 1980 85 percent of 22,000 cases had already been resolved.

**Mr. Schmeiser:**

And it took two or three months for us to get the documentation.

**Mr. Schmeiser:**

Yes.

**Mr. Givens:**

Excuse me, this was the appeal going on.

Thirty days, Bob. Thirty days is only thing for the appeal, and I know we did appeal some; but I'm a little begoggled that this thing did not come up in the 1981 budget.

**Mr. Schmeiser:**

Well, we had no idea it would amount to this amount when we developed the 1981 budget, none at all.

**Mr. Givens:**

Here's \$10,000,000 sitting before us right today, and no one in this Administration was taking, knowing that there were volumes of people appealing

this particular decision, and it was going to be significant. If 22,000 cases, 85 percent of those were heard and the people received notification — if the people received notification that they were going to get their refunds, then why wasn't this brought to your attention, to the Administration, to the City fiscal planners?

**Mr. Schmeiser:**

All I can say is it was not brought to our attention.

**Mr. Givens:**

Then I would have to submit, then, that somebody was not doing their job. If I can call over there today and get these stats that 85 percent were completed and the people received notification in the fall of the year, then somewhere that should have been in the 1981 budget, and we wouldn't be sitting here today with a 13 percent interest rate going out after \$10,000,000.

**Mr. Schmeiser:**

And you had a tax increase to fund it.

**Mr. Givens:**

Whatever the case might have been, we're going out into a market today that is much unreasonable. We're supposed to, hopefully, within government, look ahead a little bit, and somewhere someone has dropped the ball here, and I would like a report, if the Chief Clerk could so direct a report to the County as to how the City was notified. Is this going to happen in coming years? If so, I think we should have some type of monitoring system on what happens over there in the County that affects us to the tune of \$10,000,000 in just one year.

**Mr. Schmeiser:**

We have already taken measures to make certain this won't happen again. This will not be a surprise to us again.

**Mr. Givens:**

Could you submit that in writing to me before Monday, then?

**Mr. Schmeiser:**

Not before Monday.

**Mr. Givens:**

What have you done to make sure that the City of Pittsburgh is notified in a timely fashion.

**Mr. Schmeiser:**

All right. I will do that before Monday.

**Mr. Givens:**

And again, something fell between the cracks in this particular one. You're saying the County did not notify us?

**Mr. Schmeiser:**

That's right, I'll say it again. The County did not notify us.

**Mr. Givens:**

Mike, I want a letter to go to the County. I want to find out who is responsible for letting municipalities within Allegheny County know about this, one, the City of Pittsburgh, and find out why people sat on this thing from the fall of 1980 until this day, today, Monday, when it was a big shock to everybody that we're \$10,000,000 in debt.

There is one other point. We're taking some appeals, are we not?

**Mr. Schmeiser:**

Yes.

**Mr. Givens:**

Are we taking an appeal with U.S. Steel?

**Mr. Schmeiser:**

Yes.

**Mr. Givens:**

I think we had better look at that very closely. We might lose from the people that I have been talking to, and if that's the case, the City of Pittsburgh is going to lose a couple more million dollars, possibly.

What I am saying right now, they are being assessed at a possible fair market. If we go in and try to compare notes, that the U.S. Steel Building might win their case, and we would be out another couple million dollars.

I would suggest that somebody, and Bob, I'll speak to you on this, that we had better look at those cases we're going to appeal and be damn sure that we have our grounds, or we're going to lose a few more million dollars.

I'm saying that they had better be looked at very carefully. Of the sources that I have been talking to, I don't know if we're going down the right avenue in some of these appeals. That's the only thing I wanted to say.

I have one more point. Are there any other alternatives, and I'm sure you have tried to explore some of these, as to, is there any other way to delay this,

hold it off?

I appreciate it and everything, but you mentioned that you would try to get people possibly to pay their taxes earlier to sort of cushion some of this blow. What I'm looking for is to reduce, if possible, the \$10,000,000 down to whatever we can get at by whatever vehicle or mechanisms that we can use.

Compound the problem. We're going to be \$10,000,000 short in our revenues for the year 1982 tax year, so we've got a double-whammy year. We've got \$10,000,000 right now that we have to pay out, and we're going to have another \$10,000,000 shortage we must make up in 1982.

The Mayor for the City of Pittsburgh did exactly that after the fact by freezing all the hiring in the City of Pittsburgh, thus trying to recoup five percent that he underbudgeted, so one way or the other — I was saying the same thing that the Mayor was, only he put a freeze on. I was going to put it into the pension funds, and I would think that the pension funds were the more serious problem that we have within the City of Pittsburgh right today.

Number one, in trying to delay this, what monetary losses do we incur? Are there any suits put against us? I mean, if we don't pay, because I know there are many people out there, justly so, that should receive their refund; but the City of Pittsburgh is now, and I'm thinking of the taxpayers, those same people. If we go out to borrow \$10,000,000 at 13 percent, they are the ones that have to pay that bill, too, so what are we doing? Are there any penalties to the City if we can delay it until maybe we can come up with something more workable?

When something is introduced to

me on Monday and I'm debating it on Wednesday and I haven't heard any alternatives, I'm wondering what the Administration has done to try to alleviate this impact on the taxpayers.

Its very simple to go out and borrow. I'm looking for other alternatives. Are there other alternatives? Can we delay this particular thing? I'm saying this, Bob. I was not aware of this thing, and I'm thinking something dropped between the cracks to make it evident that this Council was not aware of it. We should have been aware of it, I felt. There are 22,000. Eighty-five percent were completed and the people notified in the fall of the year. Now, somewhere we should have found out about that and been planning knowing that we were going to have to pay this in 1981, what vehicles were we going to use. Bonding is one vehicle. I'm looking for other alternatives. I haven't heard that but one thing mentioned by you saying the possibility that we will get, hopefully, some vehicle to get people to pay their taxes a little bit early.

It is the taxpayer ultimately that is going to pay for this, not this Council. All of us are going to pay for it.

What are the penalties to the City of Pittsburgh? I'm talking to the taxpayer, too. I'm looking for a way out.

**Mr. Schmeiser:**

Dick, a great deal of thought and consideration was given to this problem and the best way to handle it. I'm submitting that this is the best way to handle it. We can't let this problem out there without being resolved, because we're going to have a bond issue, as you know, in June. In terms of the bond rating agencies, we have to have this problem resolved.

**Mr. Givens:**

That's a factor, that these are the types of things that I think we should know here. When did the interest start running? That's a good point.

**Mr. Schmeiser:**

Well, it will start running later, but one year after — the legislation is unclear as to when interest starts and when the refunds have to be made, but we have to resolve the problem.

**Mr. Givens:**

I appreciate that. When I received that problem Monday and have to act on it Wednesday, its kind of a short time. You have been sitting on it for several months and no one was aware of it. Maybe one or two people were aware of it, this body was not aware of it; and you know, give us a little time to react too. We're out there trying to help you also, and when does this time period when does that clock start? When the people get notified? If that's so, they were notified in the fall of the year, the majority of them, so we're looking already nine months in the eye for what percentage are they getting?

**Mr. Schmeiser:**

Its only six percent.

**Mr. Givens:**

Six percent.

**Mr. Schmeiser:**

Yes, but that's not the point. The point is that we have to make provision for the refunding of the taxes. Otherwise, its going to cost us much more in our bond issue.

**Mr. Givens:**

I can appreciate that very much. I have no further questions.

Mike, before Monday, if we can get an answer from the people across the way, I want to find out who was responsible for us not knowing this.

Just going back on this other one, that bond is going to be a three-year bond, is it, or note, on the \$10,000,000?

**Mr. Schmeiser:**

Its going to be a five year note, no payments in 1981 or 1982, interest only; and the principal will be paid in '83, '84 and '85.

**Mr. Givens:**

Why are we doing that?

**Mr. Schmeiser:**

Because of the structure of our debt. This tends to level out our debt service. Again, in my opinion, its in the best interests of the citizens of the City.

**Mr. Givens:**

What about the years '82 and '83? Do we have a high debt in that year?

**Mr. Schmeiser:**

Yes, we do.

**Mr. Givens:**

We have '82. I can see that. What about '83?

**Mr. Schmeiser:**

In '83 is our first payment. In '83

will be our first principal payment on the \$10,000,000 loan.

**Mr. Givens:**

And how much will that be?

**Mr. Schmeiser:**

Three-and-a-third million.

**Mr. Givens:**

Three-and-a-third million. Well, that's keeping the ballpark fairly good. You're making your first payment in '83?

**Mr. Schmeiser:**

That's right.

**Mr. Givens:**

Thank you.

**END - MR. GIVENS REMARKS ON BILL NO. 3252, 6/3/81.**

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Michelle Madoff	Mr. Stone
Mr. O'Malley	Mr. Woods
Mr. Robinson	Mr. DePasquale
	(Pres't)

AYES 6 NOES none  
(MR. FLAHERTY AND MR. GIVENS VOTING NO)

And a majority of the votes of



Council being in the affirmative, the bills passed finally, as amended. Also,

**Bill No. 3253**

Resolution entitled, "Resolution of the City of Pittsburgh increasing the Bonded Indebtedness of the City of Pittsburgh by an issue of General Obligation Bonds in the principal amount of \$70,000,000 for the purpose of providing funds to pay a portion of the cost of acquiring and constructing its 1981 Capital Improvement Program, to refund City of Pittsburgh Bond Anticipation Notes, 1978 Series A, in the principal amount of \$1,224,000, and 1979 Series B, in the Principal amount of \$8,500,000, to capitalize interest on the bonds, and to pay the costs of issuance of the bonds; and (1) approving the cost estimates for the project; (2) approving the increase in the nonelectoral indebtedness; (3) fixing the form, number, date and maturities and redemption provisions of the bonds; (4) establishing the estimated useful lives of the components of the Project; (5) stating that the bonds shall be general obligation bonds and nonelectoral debt; (6) establishing the form of the bonds; (7) directing that the bonds be sold at a negotiated sale; (8) authorizing the execution of the bonds and the coupons attached thereto; (9) levying a tax for the payment of debt service charges; (10) pledging the City's full faith and credit for the payment of principal and interest; (11) authorizing the establishment of a bond sinking fund and authorizing the paying agent to make investments; (12) authorizing the appointment of payment agents; (13) authorizing the filing for approval of said debt with the Department of Community Affairs and authorizing the payment of the required filing fee; (14) approving and authorizing the distribution of the preliminary official statement; (15) appropriating the bond proceeds; (16)

covenanting that the bonds will not become arbitrage bonds; (17) authorizing and directing preparation, execution and delivery of all required documentation; (18) establishing effective date Resolution; and (19) repealing inconsistent resolutions and ordinances.

Which was read.

**Mr. Stone:**

On Bill No. 3253, inadvertently, think there is a typographical error. you look at that bill on pages three, eight, and 14, they used the amount \$1,400.00. It should be \$14,000.00. will go from \$1,400.00 to \$14,000.00.

Now if I may, if you look on page it is the fourth line from the top. should read \$14,000.00 instead \$1,400.00.

On page 8, in the second paragraph where you have a slight space there, should be from \$1,400.00 to \$14,000.00.

On page 14, in the third paragraph down you'll see a slight space there consecutively, from \$1,400.00 \$14,000.00.

Now, the other amendments are follows — page 14, the first paragraph and on the sixth line, it should list "beginning March 1, 1982", and on page 22, Section 14, the date should be June 1981. I move for the amendment.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

I would like to discuss Bill No. 3253. Of course, Michelle Madoff made certain statements that I don't agree with, that I was knowledgeable, as much

as I wanted to be knowledgeable and what interest I have for the taxpayers, of seeing what the people have, I can draw up numerous newspaper clippings and statements in the municipal record and in the Wednesday sessions wherein this Council did advise very earnestly, for the Administration to buy the bonds and they ignored that plea of this Council and now we are faced with and boxed into this situation we have today.

We asked the Administration to provide us, in regards to the \$70 Million bond issue, a listing of all the capital improvements that they wanted and Mr. Schmeiser, I have a certain problem in reading the language of that particular piece of legislation. It says "1981 Capital Budget", and when I received the list of the projects that are going to be undertaken, many of those projects, and I can pick up the page here, if you can see the underlining, about one-third of all the projects to be completed on this list that was given to me, a little less than one-third, are for other than 1981 capital budget. Can you explain that?

**Mr. Schmeiser:**

Its 1981 and prior.

**Mr. Givens:**

May I insert there, excuse me Mr. Treasurer, may I insert there that in this exhibit, and I would make this a motion to attach this hand-out, to Exhibit "A", as they indicated, they just came in with their Exhibit "A" —

**Mr. Stone:**

We can't clutter up that bill now, that's going out on a perspectus.

**Mr. Givens:**

Exhibit "A" refers to a general,

what is going to happen in each department by total amounts of money. The second one submitted to us defines each of the projects in total amounts and I would submit that that would be a part, an amendment to this particular bill.

**Michelle Madoff:**

Absolutely not. We are not bond-rating.

**The Chair:**

Could we have your comments of Wednesday incorporated? I mean that covered it rather well Dick. I mean, you spoke for a half an hour Wednesday on it. Do you want to say anymore?

**Mr. Givens:**

Well, it was presented to the Finance section, it is part of something that the City Clerk had asked the Administration for and now it is part of the record, again received this afternoon, at around 12:15 p.m. The exhibit that they make reference to, Exhibit "A" does not tell you anything. This does then, tell you something, "and with that exhibit which is attached hereto and made part hereof, in compliance with Section 106 of the Local Government Unit Debt Act, called "The Act", and in it, if we are going out for bonds for 1981 Capital Budget, how then can we, Mr. Treasurer, have '80, and '78, and '77, and even 1982 funds, which we haven't even had a budget for yet. Could you answer that?

**Mr. Stone:**

Mr. President, we are paying bond counsel —

**Mr. Givens:**

Excuse me, I want the Treasurer of

**Mr. Schmeiser:**

What's the question?

**Mr. Givens:**

Well, I'll repeat it if you weren't listening.

**Michelle Madoff:**

I was listening, I didn't get the question.

**Mr. Givens:**

Section 1 of the bill so indicates that the 1981 Capital Improvement Program, it said, Exhibit "A" -- I asked that to the Exhibit "A" that you have submitted in this bill, that also it be amended for the latest recording of all of the projects in that Capital 1981 Improvement.

**Michelle Madoff:**

Where do you want it amended to, I don't understand.

**Mr. Givens:**

With that, local government has -- in Section 106 of the Local Government Unit Debt Act, you must say what this money is going for. It says the 1981 Capital Program, and I see in here other than 1981 capital programs. Can you explain that?

**Mr. Schmeiser:**

Several years ago, this is before I

was here, I want to remind you I started last April, a year ago April Mr. Givens and I don't know what happened in '78 and '79 that you keep referring to, but it is my understanding that with the approval of Council, the City has switched from a line item Capital Budget to a total budget. And so if projects get held up, the money is not set aside forever, but you switch to another project, and that is the reason that the listing is presented. Some of these are carryovers from previous years.

**Mr. Givens:**

Let's say we still operate in a line item budget but there is legislation that affects what you have just said, that if a project is not ready to go, that it is put aside and we don't have to have funds for the Controller so wants, up front.

**Mr. Schmeiser:**

That is my understanding.

**Mr. Stone:**

You only restrict the funds when the project is ready to go Mr. Givens.

Relative to this particular bill, we haven't paid adequate proper bond counsel to write it and we can't afford to be doing a shoemaker job at this late stage of the game, you leave it in the form that the bond counsel suggested because this is the prospectus out of which they are going to be issuing these bonds. There should be no amendments other than the amendments we have already given.

**Michelle Madoff:**

Is that a motion?

**Mr. Stone:**

You don't need a motion.

**Mr. Givens:**

Excuse me, I'm still debating the issue and there should be no motion on the floor until I'm finished.

The cost that we have ensued in this particular thing, in going back over these latter years, my point, and he so clarified it, that because we do lump it altogether, that then, is legal in accordance with the local Unit Debt Act that the government so puts us under in Section 1 of this bill.

**Michelle Madoff:**

Mr. Givens, what is it that you want?

**The Chair:**

Dick, you won't take yes for an answer.

**Michelle Madoff:**

Do you want it in the minutes, on record, is that where you want it sir?

**Mr. Givens:**

Yes --

**Michelle Madoff:**

But you don't want it on the bond, of course.

**Mr. Givens:**

Didn't we ask the Treasurer to come here Mr. Perry?

**Mr. Perry:**

Yes we did.

**Mr. Givens:**

Well, I ask him questions and he just seems to be in a huddle back there --

**Mr. Schmeiser:**

Where would you like me?

**Michelle Madoff:**

I don't understand the question. Is it a question or a statement?

**Mr. Givens:**

The question is, that there is truth in lending and the truth is that when you go out for an '81 Capital Improvement Program, and you say the local government then, meaning we have to correspond to their Section 106 of the Local Government Unit Debt Act and I am asking him, in borrowing this money, other than for the 1981 Capital Budget, can we borrow for '80, can we borrow for '78, can we borrow for 1982, a budget which hasn't even come before this Council. How can we borrow for the year 1982?

**Michelle Madoff:**

Didn't you just answer him?

**Mr. Givens:**

How can we borrow for the year 1982?

**Mr. Schmeiser:**

Well, have you not approved the Six Year Capital Plan?

**Mr. Stone:**

Correct.

**Mr. Givens:**

No, that is something that the Mayor brings down, it is a document that

has not the approval of this Council until it is actually into budget form.

**The Chair:**

We approved it, Council approved the six year plan.

**Michelle Madoff:**

But he has such good help and I am wrong, then —

**Mr. Givens:**

I could say to that Mr. President, if you look at any six year plan in the City of Pittsburgh, you'll see that it is changed very drastically year by year. Do an analysis on that one.

Mr. Treasurer, in fact, can we go out and borrow in accordance with the act that the government puts us under?

**Mr. Schmeiser:**

Mr. Givens, I am not an attorney, I can't answer that.

**Mr. Givens:**

You are the Treasurer, you have attorneys at your disposal, can we borrow? Can we borrow for the year 1982 on this bond issue?

**Mr. Schmeiser:**

I was not advised otherwise, that is the best I can tell you.

**Mr. Givens:**

Well, that is a serious problem, because I haven't even approved, nor has any member on this Council, approved the 1982 line item budget and yet you are borrowing money in the year 1981 for projects in 1982 and bringing up old

projects in the rear that haven't even been approved, you know? I mean, I don't know, that's why I asked the question.

**The Chair:**

You're taking that completely out of context.

**Mr. Givens:**

Well, that's why I asked the question, he doesn't have an answer on it so —

**The Chair:**

You're playing with words —

**Mr. Schmeiser:**

Mr. Givens, I just spoke with our bond counsel, he says it is perfectly allright.

**Mr. Givens:**

Mr. President, I have a couple of serious questions, on page five of the bill, for the first time since I have been on Council, I am looking at the top of the page, "the bond maturing on a period, or prior to March 1, 1992, will not be subject to redemption prior to maturity" could you explain that please?

**Mr. Schmeiser:**

This is the marketing technique that the underwriters have advised us. By calling an early redemption, first of all we have to pay a premium, secondly they are more difficult to sell. Instead of that, if the bond rates go down, we will have what is called an advance refunding, meaning that we will sell new bonds at a lower interest rate, escrow the funds so that we can pay off the old bonds and interest rates, so we will get the advantage of lower interest rates

should the market rates fall.

**Mr. Givens:**

Okay, that is my exact question, in reading this, it says that whatever these bonds are and I'm looking back in the section, you've got, "each bond will be 5,000 in series", and you have several different series maturing at different times as depicted on page five here. 1993 are some, you have the year 2001, 2005 and 2006, but you say, and I am reading it, and I think I am reading it correctly, and what you are telling me does not seem to agree, it says, "will not be subject to redemption prior to maturity", and they are saying that March 1, 1992 date. Now I would assume

**Mr. Schmeiser:**

That's right, that is just what I said. They will not be subject to redemption.

**Mr. Givens:**

I can't redeem this particular bond that I have just sold. It means that if it comes in at 13% that I cannot reverse that and later on, if the bond market does go down, be able to redeem this particular bond —

**Mr. Schmeiser:**

Can I explain it again to you Mr. Givens, and will you listen this time? I said that if the rates come down we will sell new bonds.

**Mr. Givens:**

To redeem these bonds?

**Mr. Schmeiser:**

No, not to redeem these bonds, we will have the proceeds in escrow, so that

when the bonds come due we will pay them off.

**Mr. Givens:**

Well they are not going to come due, I have to agree, they are not going to come due until —

**Mr. Schmeiser:**

1993 they will come due.

**Mr. Givens:**

Okay, you are going to float other bonds, you are saying, at a cheaper rate so when these become due we are going to pay them off.

**Mr. Schmeiser:**

That's right.

**Mr. Givens:**

My God, have we ever gone out before and bought bonds where we could not redeem them at any time that market fell? To my knowledge I have never seen one that has come before this Council. And I submit to you —

**Mr. Schmeiser:**

We have done this in the past.

**Mr. Givens:**

In a couple years maybe, but not for 20 some years. That means that we are going to receive a bond and it is going to be some 12-1/2%, 13-1/2%, whatever it comes out to later on in this Council, we will have the right to approve or disapprove it, but for this period of time, until March 1, 1992, we cannot bring that bond back in again and buy cheaper bonds and pay it off. We can't do that.

**Mr. Schmeiser:**

Because we will have the same effect.

**Mr. Givens:**

Be charged 13% interest until the year 1992.

**Mr. Stone:**

Mr. President, what the Treasurer is attempting to say and what is not being understood, is that if the bond rate stays the same, there will be no reason to redeem. But in the event that the bond interest rate should drop, then we have the opportunity to refund, place that money in to a trust fund in which we would invest and re-invest and it is one of those legitimate opportunities to engage in arbitrage, where we can make the interest, which then would reduce the overall cost of what this present rate is. Now, it is a device, if you are in the fiscal field, you understand, and if you don't, you don't understand.

**Mr. Givens:**

Well, I understand the language here very simply, I know they are using other mechanisms to pay off this bond indebtedness, using it in a different way where arbitrage is not -- we are not in violation of it. But this particular bond, the \$70 Million bond, how much of that proportion of that bond, that will mature by March 1, 1992, will not be subject to redemption prior to maturity. That is loud and clear to me. The taxpayers in the City of Pittsburgh are going to pay whatever interest rate comes up. Probably 13%, in or around there, give 5% probably. They are going to pay that and they are going to pay it until the year 1992. What the Treasurer is submitting to and what Bob Stone is

submitting to is that we are going to get out and when those rates come down we are going to borrow money at that time at a lower rate --

**The Chair:**

If they do come down, we have a choice.

**Mr. Givens:**

...get the interest rate on that and then pay this when it becomes due in 1992. I do not want to put the taxpayers in the City of Pittsburgh, or any Mayor that will be coming in here, and in the ensuing years, to have an indebtedness where he can't pay off his damn bond. If that thing comes down. We're opening up two or three bank accounts just to pay off the one.

**Mr. Stone:**

Mr. President, as I said earlier, we have listened to a lot of rhetoric of people who are fiscal expert pretender. I think it is about time we got down to rug-cutting.

**The Chair:**

In my neighborhood they didn't call it rhetoric.

**Mr. Givens:**

Those fiscal experts have us in a hell of a hole right now, let me tell you.

**Mr. Stone:**

I call for the question at this point.

**Mr. Givens:**

Mr. President, I have nothing further here other than to say that if you add up the total indebtedness of all the

last three years, \$22 Million in '79, \$38 Million in 1980, \$60.5 Million in 1981, apply the interest rates on those various programs, you are going to come out and find that the City of Pittsburgh and its taxpayers for the next 20 to 25 years, are going to be paying at a rate, that when it was 6%, when we borrow, we are paying about 70% on that 6% back three years ago. When we come down to this 12%, we are paying at the rate of around 220% on the base amount of money that we are trying to borrow, and if you call the financial experts that these people are alluding to, I suggest we get rid of all of them.

**Mr. Stone:**

Mr. President, one fast remark here if I may. I don't know how Mr. Givens can expect that we should have bought at 6%, what? For five years in advance?

**Mr. Givens:**

Three years ago, excuse me. Three years ago the interest rates on municipal bonds was 6.09%.

**Mr. Stone:**

And you'd have bought for the years '81 and '82 Dick?

**Mr. Givens:**

As you indicated Mr. Chairman, I have many newspapers that so indicate that you tried the best you could, as Chairman of Finance, to get the Administration to buy bonds at that time. Did you not? Yes or no? Did you not?

**Mr. Stone:**

Mr. President, after those last couple of remarks I want to cease

discussion, let's get on with the bill.

**The Chair:**

You put it the best last Wednesday. If those of us here would have that knowledge we would all be millionaires today, nobody has it Dick, and its just tragic.

**Mr. Givens:**

At this particular time I will vote yes on Bill No. 3253 pending the interest rates that come into the City of Pittsburgh because for three to four years I've been asking the Administration to go out and buy those bonds and I'll hold my reservation on that until that particular time. I would also like my remarks from Wednesday's meeting incorporated into the minutes.

**MR. GIVENS' REMARKS ON BILL NO. 3253 FROM THE MEETING OF WEDNESDAY, JUNE 3, 1981:**

**Mr. Givens:**

I think we all knew that this was coming down the pike sooner or later. Its been working on us for three years now, and I think this Council, at least I have been, and I think other Councilmembers have been on record as asking the Administration to go out and seek these bonds when the bond market at that particular time was in such a state that it was much more stable than what it is today.

To bring out my point, when we go back to 1978 bonding and 1979, in 1979, when we went out for two notes, ones that we are paying off here today, or one of them that we are paying off here today, the municipal bond rate was six percent, 6.09 percent. Now, if anyone would look at The Wall Street Journal this morning, you would see that the



average interest rates are going to be some thirteen-and-a-half percent, thirteen, thirteen-and-a-half percent. The same thing that we were asking for in this Council to the Administration, Ron, was to go out and buy. I think each year when we make a capital budget, I think that is the time. If we make a decision on the capital budget as we did in 1981 for some \$60,000,000, I think that is the time. If we say we're going to do something of a value of sixty-some million for capital improvements, much of this is up-front money as we have to appreciate, then I think we have to go out then and there, knowing what the bond market is pretty much during that particular budget session in November and December of the previous year; and the best time to go out and buy them traditionally has been the January, February, March market.

Now, in three different years the Administration has left this go through their fingers and taken out notes, and when I look at the notes and what we paid for the notes, for example, on this one anticipated note of 1979, series B bond for \$8,500,000, the municipal bond which is generally higher in rate over the notes was at 6.09. However, we paid for a bloody note 6.36 percent. We paid higher for the note than we did for the bond, and the bond was selling at what I felt was a reasonable price. That was in 1979.

In 1981 we paid, for example, this year alone, we went out for \$45,000,000. We turned it down because the interest rates were too high. They were eleven-some, twelve percent or something like that. Eleven-some percent, or, no, it was ten percent. What was it?

**Mr. Schmeiser:**

No, it was much higher than that.

You're talking about the \$37,000,000 note?

**Mr. Givens:**

Well, the 45 or 46 or 47 we went out for.

**Mr. Schmeiser:**

We couldn't sell the long-term. There was no long-term money available.

**Mr. Givens:**

Why?

**Mr. Schmeiser:**

Because of the market.

**Mr. Givens:**

What was the interest rate?

**Mr. Schmeiser:**

We paid 11 percent for short-term.

**Mr. Givens:**

Well, we paid 11.85 percent —

**Mr. Schmeiser:**

We couldn't even have sold the long-term notes. There were no buyers.

**Mr. Givens:**

Why was that?

**Mr. Schmeiser:**

Because of the market.

**Mr. Givens:**

No buyers. Well, there might be some other answers to that.

**Mr. Schmeiser:**

There aren't any.

**Mr. Givens:**

At the same time, the municipal bond rate, when we paid 11.85 percent for those notes, \$37,000,000 worth of notes, the bond rate on that date that we bought our notes or the average around that particular time was 9.7 percent.

**Mr. Schmeiser:**

No, that's not right. Nine point seven percent was the bond rate in December?

**Mr. Givens:**

That was the bond rate on December 23, 1980 and the average thereabout.

**Mr. Givens:**

We went from March 24 of 1981, we paid on the \$9,000,000 note that we bought in 1981 9.5 percent, and the municipal bond at that particular time was selling for 10.25 percent. Now these are figures that I'm getting right from the banks of the City of Pittsburgh.

**Mr. Katz:**

When you say that the interest rate in December was 9.2 something —

**Mr. Givens:**

I'm saying on December 23 of 1980 that we paid 11.85 percent. When I checked with the local banks for that time period, the average was 9.70. What do you have?

**Mr. Katz:**

The Bond Buyer, which is a daily publication of the municipal bond industry, I am not going to be able to quote you the exact figure, but it was well over ten percent.

**Mr. Givens:**

I took the time yesterday to call up and find out what it was.

**Mr. Katz:**

The daily Bond Buyer, which is similar to the Dow-Jones Industrial Average, it measures the bond prices; and in December of 1980 the Bond Buyer index was well over ten percent. The City of Pittsburgh when it sold unrated three-and-a-half-year capital notes, which is an instrument that had never been issued in the marketplace in a public offering. We did pay a high rate. Had we sold bonds in December, I think we were looking at twelve-and-a-half to thirteen percent, which is why we sold notes.

Now, the rating agencies have a very, very negative view towards the City of Pittsburgh's notes. They are anxious not to see the City come back into the note market. We told them that we would sell bonds to take out those notes as soon as we got access to the market. We are now changing that because the interest rates are still high, but until since December of 1980 until now the fluctuation in average municipal bond rates has not been significant, and rates are still as high. In fact, today, four weeks ago, the average Bond Buyer index was 10.9. Today it is 10.6, so we think that we are capturing a downward trend in the market in that three to four weeks. I think we're going to be in a much better situation vis-a-vis where we are today.

**Mr. Givens:**

If you can get a 10 percent bond, then I would be very, very happy.

**Mr. Katz:**

I don't think there is any chance of that.

**Mr. Givens:**

I don't think there is any chance of it either. I think they are going to be thirteen-and-a-half, probably.

**Mr. Katz:**

No, I think that right now if we were in the market, we would be at about eleven-and-a-half to eleven-and-three-quarters on an average coupon. To say that the average municipal bond price was 9.25, it hasn't been that in two years.

**Mr. Givens:**

You brought out one key point, and I have to share it with my other Councilmembers, and that is, you know, the City of Pittsburgh bond rating. It has slipped traditionally over the last couple years, and its because of our pension plan. Ron even indicated here at this table today that the reason we have to pay this \$10,000,000 indebtedness off is because if we don't, the \$70,000,000 that we're going out for here, it will affect our bond rating. Again, we're going to pay a higher percentage.

You know, the State of Pennsylvania has just gone out here within the last week or two and asked for a number of million dollars in bonds. What was their interest rate that they were quoted, and they have a better rating than the City of Pittsburgh?

**Mr. Katz:**

Much better. Their interest rate was well over ten percent.

**Mr. Givens:**

Did they buy the bonds?

**Mr. Katz:**

They sold the bonds. The issue of the bonds.

**Mr. Givens:**

Did not the State of Pennsylvania go out for bonds within the last week or two, and the quoted price came back to them as something like thirteen-and-a-half percent or thirteen percent, and the State of Pennsylvania turned it down?

**Mr. Katz:**

That was a housing issue.

**Mr. Schmeiser:**

A housing agency.

**Mr. Katz:**

You have to realize that this is a general obligation. This is a full faith and credit of the City of Pittsburgh. The City of Pittsburgh has an A rating from Standard and Poor's which, if we were to lose the A rating, and I do deny the fact that the fact that the Property Assessment Board has authorized refunds at a particularly bad time, that could jeopardize the rating, but if we lose that A rating, there are a number of banks, bond firms, and financial institutions that legally will be prohibited from buying Pittsburgh paper, so we are hopeful to hold onto the A. Standard and Poor's will be in town on Friday, and I am confident that we can hold onto the A; but we cannot hold on to it if, while we're talking about

\$70,000,000 bond, we have an eight to ten million dollar problem floating around which we are not prepared to solve.

**Mr. Givens:**

I have to appreciate that. Its been floating around since last fall. I have to appreciate that we have a tremendous — well, the one note that's becoming due, the \$37,000,000 that we have —

**Mr. Katz:**

Its due in July of '84.

**Mr. Givens:**

Everything seems to pinnacle to the year 1984 to the tune of about \$62,000,000. When you get a flow chart, that's a bad situation.

**Mr. Schmeiser:**

Of course, and we hope to refund that.

**Mr. Givens:**

When are you going to refund that?

**Mr. Schmeiser:**

When the rates are more attractive. We're not going to do it now, obviously.

**Mr. Katz:**

If the rates don't come down in six months prior to the due date of that note, we would refund it at any rate, because at that point we would be subject to no limitation on what we can earn on the investments of the refunding bond, so that whatever we issue six months prior to July 1, 1984, we can invest at unlimited interest rate. Prior

to six months we would be subject to arbitrage limitations. When rates come down below the ten-and-a-half level, I would think that the City would want to sell long-term bonds and take out those 11 percent notes.

**Mr. Givens:**

Most certainly, and I have to appreciate that you and your bonding counsel to the City of Pittsburgh and also your ensuing trip up to New York last year when we went out for those original bonds and were kind of shot down in the market field established the credibility of the City of Pittsburgh and us into our Renaissance II, that that has a significant impact on the —

**Mr. Schmeiser:**

On our rating.

**Mr. Katz:**

Councilman, incidentally, next week, 30 institutions representing major insurance companies and bond firms and banks will each be sending at least one representative to the City of Pittsburgh to see Renaissance II, to see the neighborhoods, and to meet with Ron and the other people in finance to talk about the City's credit; and we hope that those 30 institutions will be major purchasers of this \$70,000,000 bond.

**Mr. Givens:**

I have to submit to Council that when you look at the 1981 budget and the total amount of authorized funds that we have out there is to the tune of \$277,000,000, and we have been receiving short-term for the last three or four years which most of this impacts on, and that we're only going out for \$70,000,000 at this particular time, and if you can get the ten percent, then I will

feel you have done very well. If its up in the 12 and 13 percent, and, Bob, do we not have Council's final approval on this according to what the interest rates come in?

**Mr. Katz:**

I don't think you're going to see ten percent, Councilman, just for your information.

**Mr. Givens:**

I know we're not going to see ten percent. If we are, then something drastic is going to happen to that market in the next week.

**Mr. Katz:**

The State of Wisconsin a week ago sold approximately \$70,000,000 AAA bonds at 9.875 percent, and we're a good 100 to 150 basic points higher, a point to a point and a half higher, being a A from Moody's and Standard and Poor's and a BAA-1 from Moody's, so you're going to see something well in excess of ten-and-a-half percent unless the market drops tremendously, and there are a lot of mixed views about what's going to happen over the next month.

**Mr. Givens:**

Do we not have limitations right now other than this \$10,000,000 note that we're going out for in the General Fund? Can we even go out and try to get a note on any moneys that we might want to acquire? The notes are generally local, right, in the local banks?

**Mr. Schmeiser:**

Yes.

**Mr. Givens:**

I have found out that the local banks are somewhat saturated in the portfolio on notes that they have out and they can't really give any more notes.

**Mr. Schmeiser:**

Are you talking about the \$10,000,000?

**Mr. Givens:**

Yes, well the \$10,000,000 I assume we're getting from local banks but they will put their portfolio up to the saturation point on the amount of notes that they can give out until, I guess, the City of Pittsburgh pays a lot more off.

**Mr. Schmeiser:**

That is largely true.

**Mr. Givens:**

Even if we wanted to, we couldn't go out on any more notes; is that so?

**Mr. Schmeiser:**

We don't intend to go out for more unless we have no other source.

**Mr. Givens:**

Well, I'm going to try to get some figures between now and Monday to indicate had we gone out in the market in 1978, '79, '80 and '81 on bonds at what those bond rates were as quoted to me by the banks in the City of Pittsburgh versus the notes we went out for, and now we're paying off those notes with the \$70,000,000 bond issue right here and that the bond rate is somewhere, at least, across the board as I read it, in the 13 percentile, and what the difference would mean to the public. Do you know what its going to mean? I

going to mean multi-millions of dollars to the taxpayers of the City of Pittsburgh because somebody in this Administration did not move forward in a very precise fashion, and the fact that this Council has been on record, and I don't want the Council to be blamed for this high financial situation. Its going to cost millions of dollars, and that's no smile. That is a hard-core fact. If I'm to run my home and my business the way I do and the City fo Pittsburgh elects me to this position to run in the Council and to look over their shops and the payments that we make out and to handle their money, because its their tax dollars and our tax dollars, then I think someone had better start looking a little bit more closely at what's going on in the real world out there.

The fact that if we got those three years ago at a low interest rate, when you cost that out over twenty-some years, 25 years, that's a tremendous amount of money.

**Mr. Katz:**

Th3e difference between ten percent and 11 percent over 25 years is approximately \$580,000 a year, approximately.

**Mr. Givens:**

Times 25 years, so half a million or better.

**Mr. Katz:**

Well, \$12,000,000 or \$13,000,000 over the life. The present value, which is the key indicator, is probably around half a million dollars.

**Mr. Givens:**

I just have one more question and I think its a very serious one. Monday we

were briefed on this very quickly by the Mayor's Office and his staff, and it was only yesterday afternoon that I had the opportunity of relaly delving into this \$70,000,000 bond that we're going out for. I need additional information. I mean, we're going out for \$70,000,000 worth of bonds. There is \$277,000,000 that we have appropriated as far as what we're going to do. What is this \$70,000,000 going to do? I mean, I don't have a list, and I'm the Chairman of the Committee on Public Works, I do not have a list.

I have a copy of the bill itself; a breakdown on each of the departments and what it is.

**Mr. Schmeiser:**

Its the '81 capital projects, that is what we are funding here.

**Mr. Givens:**

All '81?

**Mr. Schmeiser:**

Yes.

**Mr. Givens:**

What happened to '79 and '80 that's not funded yet?

**Mr. Katz:**

Eighty was funded by the notes.

**Mr. Schmeiser:**

Eighty was funded from the notes.

**Mr. Givens:**

Not totally, no. If I read the notes, we took out \$31,000,000,000 I think.

**Mr. Katz:**

No, we took out \$15,750,000.

**Mr. Givens:**

That was the total of what it was going to run us, \$16,000,000; and we had a total of \$38,000,000 in 1980, \$20,000,000 that were supposed to go out in bonds, and \$17,000,000 in notes. All we did was go out and bought shy of \$2,000,000 on our notes.

**Mr. Katz:**

We had \$22,000,000 new debt. Take the \$37,000,000 less the \$15,000,000, and you had twenty-one point something. That was for 1980 projects, plus the City issued \$9,000,000 in additional notes with the banks, plus the City got reimbursements from the federal government for a portion of '80 capital budget, so the '80 budget was funded through a combination of notes and grants.

**Mr. Givens:**

That's my exact point. I wanted to look at what programs have been completed in 1980, what we're looking at in 1981, and how we're going on. I know there are a lot of cost overruns here, and I'm concerned about that. I want these programs to get out as quickly as possible. That is all of our endeavor once we say we're going to do something, to do it as quickly as possible with the best engineering and management that we can put forward; and when I see cost overruns, that scares me a little bit. That's why I want to review specifically each one of these programs. That is my job as the Chairman of that Department, and much of this money is going into the Public works. I know we have many bridges coming down around our necks. There are other projects. We're going

out into a high market, a high market area. You have to justify to me as to why we're going out for this money at this particular time when we're in a high market interest rate. I have to look at each one of these, and I haven't had a opportunity or you could even have gone with me between when I was told about this and when we're going to go forward through the cracks there, too, a little bit. When you're going to do something this significant, before you do it I think you have to get with your various chairmen of the various departments that have the greatest impact on this. Today, I think it's the Department of Public Works. I think it's Parks and Recreation and a little bit on the Water Department.

**Mr. Schmeiser:**

Do you want a list of the projects?

**Mr. Givens:**

I need a list of those projects and why we're shooting forward on some projects and not others and why we haven't completed some projects, and I'm looking to reduce the \$70,000,000. I'm looking to reduce that \$70,000,000. I feel we're going out in a high market interest rate, and I'm wanting to squeeze up and compress and only do those that are really of an emergency nature. That is my personal feeling.

My point to the Administration is along, Bob, and you have voiced your own opinion on that — go out there and look at those bonds so we can get the dam programs finished. Now we're going out in the worst market in the world.

Well, Mr. Chairman, the only thing I can say about that is Monday I will give you figures to show that if we went out and bought the bonds when we were supposed to as you so advocated, the

City would not be paying millions and multi-millions of dollars for the work that we want to get done now, and that's why I want to look at every project that's going to come before us so it is of an emergency nature, because we are, in fact, going out in the highest bond market that I have ever seen in my lifetime.

I have to appreciate that Council cannot go into a contractual agreement. Only the Administration can go into a contractual agreement. For three years I have asked for this contractual agreement and I have been denied it. Now, three years later, they come down and say we must do it. I have to appreciate what you're saying, that we have to do it, but damn it, we're doing it under the worst conditions that I have seen in my lifetime.

**END, MR. GIVENS REMARKS ON BILL NO. 3253, 6/3/81.**

**Mr. Stone:**

I am voting aye and on Bill No. 3253 I would like my closing remarks from Wednesday to be incorporated into the minutes.

**MR. STONE'S CLOSING REMARKS ON BILL NO. 3253 FROM THE MEETING OF WEDNESDAY, JUNE 3, 1981:**

**The Chair:**

I have been saying for the last five years, and particularly since I have been Finance Chairman, when you announce a capital improvement budget, then you attempt to accomplish that goal in the year that you intended to do it; and if you're going out in '77, you fund it in early '77 so you can carry it out, and you're paying the interest which you may need, but on the other hand, you're not paying the loss by virtue of stagnation,

by virtue of the inflation that erodes your project by 12 to 20 percent, those additional costs.

I have said time and time again, and Michelle, in her efforts, asked Mr. Katz, figuring she was going to catch me with my pants down, I guess, to embarrass me. Mr. Katz said then, quite obviously, which was accurate, that it was a mistake we didn't do it then, but we are now in a different area.

I am not at all pleased with where we are. I have an alternative. I can stick my head in the sand and completely forget about it and hope to hell that everything is fine when it's all over, but we don't have that luxury. It is nice to stop and nothing happens. You cannot afford in this present market to stop and do nothing, because the project will end out costing you twice as much if you wait two to three years. We can ill afford to wait.

Now, when do you wait? Do you go out in January, or do you go out now, or do you go out when you think it's going to go down, and the damn thing is going up? Now, some sources say that, in spite of the proposition we're involved in right now, the economy is at such a heavy and steady pace that it's likely to go up again before it comes down again. Now, it's easy for those of us who are lay people in this particular field to sit in judgment on a fiscal expert, but if they had that kind of judgment, they would probably themselves be making \$70,000,000 a year if they had that foresight to see, that kind of ability. We're in a very, very crazy market, and talking about getting in between cracks, that's what we've got to do right now, find out where you are. The worst thing you can do is have to find it and then go through this whole process of Council to get it done. That's why we want to get these things through, so they can play with the market on a



more specific day-by-day proposition rather than have to wait for the lead time in the \$10,000,000 note, which is going to be somewhere between four and eight weeks, on the bonds, which is probably going to be a similar time. They need that ability to function.

Now, nobody has been more critical than have I, and nobody has been more concerned about the fiscal situation than have I, and nobody has put as much time into the fiscal consideration of the City of Pittsburgh than I, and nobody has been more vocal and more critical of it and called people down at this table than have I, but in 1981 we're in a different kind of ballgame. In fairness to everybody, nobody is the expert, nobody is the fall guy, and nobody takes credit for it all; because no matter if you do it right you're still going to be wrong, because we're in that kind of fiscal disarranged market.

**END - MR. STONE'S REMARKS ON BILL NO. 3253, 6/3/81.**

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES     NOES none

And a majority of the votes of

Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 3263

Resolution entitled, "Resolution transferring the sum of \$50,000.00 from Code Account Number 1144, Gasoline and Diesel Oil, Bureau of Automotive Equipment, Department of Supplies, to Code Account Number 1149, Tires, Tubes and Chains, Bureau of Automotive Equipment, Department of Supplies."

Which was read.

Also,

Bill No. 3260

Resolution entitled, "Resolution amending Resolution No. 857, effective August 25, 1980, entitled, 'A Resolution amending Resolution No. 632 of 1980 which amends Resolution No. 207 of 1980, entitled, 'Providing for a lease agreement or agreements with the Northern Area Multi-Service Center of Allegheny County for a term of ten (10) years for lease of certain property of the City of Pittsburgh located at 351 McClure Street, 27th Ward, upon certain terms and conditions, including provisions for the renovations of the facility and for payment of the cost thereof,'" and further amending Resolution No. 1495 of 1978, by increasing the amount authorized."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Mr. Givens presented

Bill No. 3310

Report of the Committee on Public Works for June 3, 1981 transmitting sundry resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3197

Resolution entitled, "Resolution authorizing the Mayor and the Director of Public Works, on behalf of the City, to lease to the Pittsburgh Steelers for a term of Twenty-Five (25) years and Three (3) renewals, certain property of the City located on Martindale Street, Scotland Street and Reedsdale Street upon certain terms and conditions."

Which was read.

#### Mr. Givens:

I have a motion to amend Bill No. 3197 by deleting the word "lease" and inserting the word "license" and deleting

the word "leasee" and inserting the word "licensee".

**Michelle Madoff** seconded the motion.

Which motion prevailed.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally, as amended.

Also,

Bill No. 3198

Resolution entitled, "Resolution further amending Resolution No. 786, approved August 8, 1980, effective August 14, 1980, as amended by Resolution No. 1386, approved December 30, 1980, effective December 31, 1980, entitled, "Providing for a Contract or Contracts for the Reconstruction of Pringle Street Storm Sewer; and providing for the payment of the cost thereof", by amending the Resolution title."

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

Bill No. 3311

Report of the Committee on Planning, Housing & Development for June 3, 1981, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Bill No. 2999

Resolution entitled, "Resolution providing for an Agreement or Agreements with the County of Allegheny, School District of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh regarding the disposition of the properties acquired at City Treasurer's Sales." (AS AMENDED IN COMMITTEE).

Which was read.

**Michelle Madoff:**

Mr. Robinson, on Bill No. 2999, "two-thirds of the properties shall be

made available to neighborhood residents". Does that mean we'll fix the properties and then sell them to the people? Or are we throwing them to people who really don't have the money, the know-how, or the way of funding, all the paperwork, and the red tapes so that they can't do it? Are we sort of putting another roadblock in their way?

**Mr. Robinson:**

This bill does not speak to the reasonable guidelines that Mr. Brophy forwarded to us. The guidelines should be considered separate from the legislation. I think during the course of discussion, some people were lead to believe that the Administrative guidelines were developed by Mr. Brophy and his staff, indeed was the legislation. What you have before you is the actual legislation.

**Michelle Madoff:**

Are you happy with it?

**Mr. Robinson:**

With the legislation? Yes.

**Michelle Madoff:**

Yes.

**Mr. Robinson:**

It only represents a one year program covering 25 houses and I think under the circumstances it presently fits the City. This is probably the best that we could do to try to come up with something that is reasonable and by the same token, does allow us to try to get some of these properties back on the market.

**Michelle Madoff:**

Okay, let me clarify my question, perhaps you can answer it for me. I'm sorry I was not here to ask my own question. Are we saying that these properties that we are taking under Bill 2999 would be made available to the people in the area and they would fix them up? And they say, we've heard them state that they feel they are quite capable of fixing up their properties. It is essentially what is happening here.

**Mr. Robinson:**

I am assuming that, as is the case in all of our housing programs, the Housing Department along with the Urban Redevelopment Authority, will be developing some guidelines to implement this particular program and that those guidelines will be consistent with the legislation itself.

**Michelle Madoff:**

Will we ever see them? Or will they just go ahead and do that as sort of part of the Administrative process?

**Mr. Robinson:**

In the past, the Housing Department has made the guidelines available to the Urban Redevelopment Authority and the Planning Commission and on some occasions, have made them available to Council. Whenever there is a specific program that they are promoting and there is legislation relative thereto, they have sent, as a courtesy, the guidelines along with the legislation. Unfortunately, in the past, many of us have confused the guidelines with the actual legislation. This legislation is an attempt to clarify, legislatively, what we would like to see done and I assume that Mr. Brophy and his staff and other parties will be working on the necessary guidelines.

**Michelle Madoff:**

Allright, I just want to be perfectly clear. This weekend, I had the occasion to be on the North Side and see an entrepreneur, an attorney, a house attorney for one of our major corporations, bought four little — three burnt out, and a couple of little homes on the North Side —

**Mr. Stone:**

Michelle, may I ask you a question?

**Michelle Madoff:**

Yes.

**Mr. Stone:**

If you are going to go into this thing a little bit, can we handle every other bill but that one for a second?

**Michelle Madoff:**

Well, there are a couple of bills here. Why, are you in a hurry? Do you have to get out.

**Mr. Stone:**

I have to be leaving and I'm just trying to get —

**Michelle Madoff:**

I will be very brief, I will try to be very brief. The point I am making is that I would like to see the properties developed by people who know how to do it and then sell the properties.

I understand that Mr. O'Malley has already met with Mr. Brophy and made the suggestion to him, I made it two-and-a-half years ago, he agreed with me then, now, I think Mr. O'Malley has seemed to get through to him, I

couldn't. I don't want to vote on, for example, Bill No. 3209 and I think 3210 and 3211. Mr. O'Malley and I had asked, we made it a matter of record, we asked that Mr. Brophy be here, or the Urban Redevelopment people, when they want to hold properties, we want to see where the properties are that they are holding and know why they are holding them. And until they do that, we should not be voting on them.

I would agree that we vote on this one property to get it moving and on those 200 pieces of property which are side lots, is that correct? That list is side lot properties, is that correct Mr. Robinson?

**Mr. Robinson:**

Yes, what is your pleasure?

**Michelle Madoff:**

Well the point is that we are running them altogether which is very difficult. I certainly want to vote for the one on Mt. Washington, I will vote for this bill on getting something done but I am very concerned that nothing will happen, it will be another Great House Sale. You know, a "third grade house sale", as you call it, where we spend \$100,000 and close on two houses. People generally do not have the imagination to go in and develop. There is nothing wrong with developers or anybody who wants to get in these properties, developing them and selling them back to people afterwards and I am very concerned that we don't leave it in limbo. Perhaps we could add on a rider that says that before they enact this bill or go out and actually sell the properties, that they come back to us with the plan of how they are going to do it.

**The Chair:**

Do you want to recommit the Michelle?

**Michelle Madoff:**

Could we hold it a week, would that hold it up too much?

**Mr. Robinson:**

I think it would be probably more appropriate for you simply to make request of the Director to provide Council with that information. I don't think there would be any difficulty doing that.

**Michelle Madoff:**

Do you trust them to move on this bill after the record that we have, that they go ahead and have a third grade house sale without our — just inform us, we get millions of pieces of paper without any help.

**Mr. Robinson:**

Bill No. 2999, I think in no way could be considered a Great House Sale type program. The legislation is very specific and I think if you look at the legislation that has authorized the previous two Great House Sales, you will see there is a distinct difference. I don't think there is any way in the world that 2999 can be compared in its present form, its amended form as compared to legislation relative to the Great House Sale. I think Mr. O'Malley and other members of Council, in sharing their concerns with the Director last Wednesday, at which time we amended this bill, made it rather clear to him that they would like to see us do some innovative things as you have suggested and so have I. It was my understanding that the Director agreed with that and was going to be working very specifically with Mr. O'Malley and myself to try

do that. But I think these 25 properties should be moved and I think we owe it to the citizens of the City to try and do something, even though it is in a small way, I don't think that in any way it takes away from the overall effort that you have been suggesting.

**Michelle Madoff:**

I would just like to be sure that if we don't sell the 25 houses, that indeed we have some mechanism where we can fix them up and sell them to people after they are fixed up, at a reasonable cost. That is my only point.

Also,

Bill No. 3156

Ordinance entitled, "Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7 by changing from "S-A" Special District (Class A); "R2" Two-Family Residence District; "R3" Multiple-Family Residence District and "C1" Neighborhood Retail District to "AP" Planned Commercial-Residential Unit Development District certain properties fronting on GRANDVIEW AVENUE; COHASSETT STREET; ONEIDA STREET; PLYMOUTH STREET and SWEETBRIAR STREET totaling 5.62 acres of land in the 19th Ward."

Which was read.

Also,

Bill No. 3206

Resolution entitled, "Resolution providing for Agreement or Agreements with a Consultant Engineer for soils and geotechnical services for the reconstruction of streets in Pittsburgh's North Side in connection the the UDAG Program, at a cost not to exceed

(\$20,000) Twenty Thousand Dollars, chargeable to and payable from Code Account North Side UDAG Program (4-15-03-1810-79-181-79-15)."

Which was read.

Also,

Bill No. 3208

Resolution entitled, "Resolution amending Resolution No. 416, effective May 22, 1980, entitled, "Providing for an Agreement or Agreements with Terry and Company for auditing services in connection with the Community Development Block Grant Program" increasing the amount authorized from \$20,000 to \$40,000."

Which was read.

Also,

Bill No. 3209

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the City owned property in the 10th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 50-B-274, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 3210

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 10th, 13th, 15th and 18th Wards of

the City of Pittsburgh designated in the Deed Registry Office of Allegheny County Block and Lot Numbers mentioned therein."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3211

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in the 18th, 20th 25th & 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 19-G-84, 15-R-112, 22-D-133, 22-D-138, 22-D-139, 45-M-109, 22-D-136, 22-D-169, 22-D-138C, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning

Commission of the City of Pittsburgh."

Which was read.

**Michelle Madoff:**

Mr. O'Malley, I was not here Wednesday, did the Director, as requested, come with the map and show us where the properties were?

**Mr. O'Malley:**

No.

**Michelle Madoff:**

Have we had any reason why the properties are being held?

**Mr. O'Malley:**

Absolutely.

**Michelle Madoff:**

I want to hold Bill No. 3211 if that is allright with you Mr. Robinson.

**Mr. Robinson:**

3211?

**Michelle Madoff:**

Yes. I want to know where the are and why they are holding them. Can we hold 3211?

**Mr. Robinson:**

Fine.

**Michelle Madoff:**

I move to recommit Bill No. 3211.

**Mr. Robinson:**

In other words the information

listed in the bill is inadequate, as far as you are concerned?

**Michelle Madoff:**

I want to know where they are and why we are holding them, it is just inaccurate for me. Mr. O'Malley and I asked him to be here.

**Mr. Robinson:**

I think if you look on the face of the material that you have on the first page, it indicates that these properties have been certified as blighted by the Vacant Property Review —

**Michelle Madoff:**

Oh, they play that game a lot. They play that game a lot. I want to see where they are blighted and why they are in the 10th Ward, the 20th, the 25th and the 26th.

**Mr. Robinson:**

Well, if I might, as a member of the Vacant Property Review Committee, I can assure you that these properties passed through the Committee and that all the documentation you are looking for is available, but if you want to hold and have —

**Michelle Madoff:**

I'd like to hold it one week because I would like to hold it one week because I would like him to be here and show us where they are holding and who they are holding them for, who they are selling them to —

**Mr. Robinson:**

If I might, for a point of clarification, any properties that pass through the Vacant Property Review

Committee, all of the documentation is available if you contact Director Brophy in the Housing Department, he will get that information for you, he is the legislated chairman of that committee. The legislation that authorized this committee makes him the chairperson and I am sure he would be more than happy to bring you any documentation that you need.

**Michelle Madoff:**

Mr. Robinson, who is he selling it to, who is he holding it for? Even though it is condemned and blighted, how are they going to market it? I want to know that. They play too many games.

**The Chair:**

Let's recommit it then. There is a motion on the floor to recommit Bill No. 3211.

**Mr. Robinson** seconded the motion.

**The Chair:**

Is there any further discussion on the recommitment?

**Mr. Givens:**

What does the chairman of the committee say?

**Michelle Madoff:**

He said to hold it.

**Mr. Robinson:**

The information is available, I have no problem with it.

**The Chair:**

Is there any further discussion on the recommitment?



And on the question, "Shall the bill be recommitted?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill was recommitted.

Also,

Bill No. 3212

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by John M. and Karen L. Catanzaro and designated as Block and Lot 23-K-348 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Woods presented**

Bill No. 3312

Report of the Committee on Supplies for June 3, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3264

Resolution entitled, "Resolution providing for Cooperation Agreements with City authorities enabling the authorities to participate in or purchase off City contracts for the purchase of equipment, materials and supplies."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
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Michelle Madoff      Mr. Woods  
Mr. O'Malley      Mr. DePasquale  
                                (Pres't)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff for Mrs. Masloff presented**

Bill No. 3313

Report of the Committee on Parks and Recreation for June 3, 1981, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3233

Resolution entitled, "Resolution providing for the acceptance of a deed from Urban Redevelopment Authority of Pittsburgh, for a nominal consideration conveying certain property and improvements thereon in the 21st Ward on Columbus Street, containing approximately 102,347 square feet and designated as Block 22F, Lots: 50, 51, 52, 53, 159, 160, 162, 163, 164, 168, 169, 172, 173, 177, 180, 181, 182, 183, 184, 187, 188, 189, 191, 192, 193, 194, 196, 198, 199, 200, 202, 205, 206, 207, 209, 210, 210A, 210B, 211, 212 and 213 for public park purposes.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill

pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens                      Mr. Robinson  
Michelle Madoff      Mr. Woods  
Mr. O'Malley      Mr. DePasquale  
                                (Pres't)

AYES 6                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. Stone presented**

No.3316 WHEREAS, the Holy Trinity Serbian Orthodox Church-School Congregation of Pittsburgh will be celebrating its 75th anniversary year of Serbian Orthodox Religious life in this City; and

WHEREAS, the Holy Trinity Serbian Orthodox Church-School Congregation will be celebrating the 10th anniversary of its new, large and beautiful Holy Trinity Serbian Orthodox Church; and

WHEREAS, the Holy Trinity Serbian Orthodox Church-School Congregation has set aside the date of Sunday, June 14, 1981 as a day of fitting remembrance and of joy and acknowledgement; and

WHEREAS, the City of Pittsburgh is proud of its ethnic churches and the accomplishments and dedication of its members to the wholesomeness of life within this City.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh do hereby congratulate the Holy Trinity Serbian Orthodox Church-School Congregation on this 75th anniversary of Orthodox life in this City and the 10th anniversary of its new Holy Trinity Church and extends best wishes to all on June 14, 1981, its day of remembrance and festivity.

Which was read.

**Mr. Woods** moved for approval.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

Mr. President, I have some Council business. I think all of this, or at least I have received, or at least the majority of the members of Council received a letter from James Collins, he is President of the Landfill Operators and Refuse Haulers of Southwestern Pennsylvania. It was the letter along with newspapers of the June 4th Monroeville News Magazine, dealing with Project Pacer, and that dealt in the with the complete refuse hauling of all the garbage within the City of Pittsburgh. The newspaper article so indicated that the major municipalities will have to submit by the 15th of June, a conclusion as to how Pacer is going to move forward to build this steam generating plant that will consume the garbage of the City of Pittsburgh.

There are a lot of unanswered questions and I would like, if the Administration is going to make a decision to do this by June 15th, I so direct the Chief Clerk to write to the Administration of the City of Pittsburgh,

and also to the Pacer unit of Allegheny County and find out from both of these groups, how far along are we and obtain any synopsis or detailed information they can give us in regard to this. Maybe a summary would be more like it Mike. To get some type of summary position report as to how the City of Pittsburgh is leaning.

**Michelle Madoff:**

Mr. President, I'm on the Committee.

**The Chair:**

What is the City going to do by the 15th?

**Mr. Givens:**

Well by the 15th of June, according to this newspaper article, various municipalities must make a commitment.

**The Chair:**

Well, I can tell you, newspaper article or otherwise, the City is not ready to move by the 15th. Because there are going to be a lot of problems with Pacer.

**Mr. Givens:**

Municipalities must make a commitment, apparently, to the Pacer project which is very intertwined in many facets of our government, both State government, Federal government and local government, and I would like to know the position at this time, of the City of Pittsburgh, Caliguiri Administration. I would also like to get some viewpoints from Pacer here, and the fact that this will be coming before this Council unless approved —

**The Chair:**

Well, why don't we have the Mayor or somebody from his office here on Wednesday to bring us up to date.

**Michelle Madoff:**

Mr. President, I think it is a little bit premature as you stated.

**The Chair:**

I do too.

**Michelle Madoff:**

I think you are absolutely right, I sit on that Committee, I am on the Allegheny Conference Sub-committee on —

**Mr. Givens:**

Nothing is premature to this Council. You sat there many times over Michelle, and said we had not received information. This is purely information that I received.

**Michelle Madoff:**

I'm going to tell you when the information will be appropriate.

**Mr. Givens:**

If they don't want to send it down to me and the Councilpersons, then I will take my deliberated time to find out —

**The Chair:**

We'll have them in Wednesday, Dick.

**Michelle Madoff:**

Mr. President, the reason I stated, and Mr. Givens has the right to contradict me, that is his privilege, that it is a little premature, today, I believe,

is the 8th. The City has undertaken a study, they expect to have it back shortly to see where they should put the integrated fleet and tie into the solid waste plant, whether it is going to be practical to us with the tipping fees, to look ahead to '85 when we don't have other places to put our solid waste, and I would like to suggest that instead of having him here this week, have him here, perhaps, in three weeks. They are not going to make a decision by the 15th, we wish they were, they are not. And also invite the new chairman, they have hired someone to represent Pacer, to come and brief Council, at that point, and I would be very happy to make the arrangements since I sit on that committee. I would just suggest we wait until they have something to say to us. I suggest we make it two or three weeks.

**The Chair:**

I have to agree with Michelle, I've been involved also and there is the problem of buying the property, acquiring the property, there is going to be a lot of opposition incidentally, from other concerns —

**Mr. Givens:**

Well, I'm sure, I just want to know what the City of Pittsburgh Administration's feeling is up to this date. If they don't want to disclose it, fine. They should disclose it, they are a public body —

**Michelle Madoff:**

Excuse me, the City is a public body, Pacer is not a public body, they are privately owned, it is going to be a privately owned utility.

**The Chair:**

Mr. Givens still has the

prerogative. Do you want them in Wednesday Mr. Givens?

**Mr. Givens:**

Yes, I would want the Chief Clerk to get this information.

**Mr. Perry:**

Do you want a letter or do you want a hearing?

**Mr. Givens:**

I want a letter to them requesting this information.

**Michelle Madoff:**

By Wednesday? Its almost impossible.

**Mr. Perry:**

He doesn't want them here Wednesday, Michelle, as I understand it.

**Mr. Givens:**

I don't want anybody here, I just want a letter on their position.

**The Chair:**

What is the gentleman's name who they made the Director of that? Micklos or something?

**Michelle Madoff:**

Micklos, yes.

**The Chair:**

Perhaps we can get Mr. Micklos in.

**Michelle Madoff:**

Well, why don't we wait until he

has something to say, give him a couple of weeks.

**The Chair:**

As long as it takes, Mr. Givens wants him in. Okay?

**Michelle Madoff:**

Just one quicky. Mr. Clerk, would you please make sure that Mr. Brophy gets a note saying that any meeting with Mr. O'Malley and with Mr. Robinson with reference to — and also to Steve George, with reference to any properties that are being held by the City, understand there is a meeting at 3:30 p.m. on Wednesday, I would like to be invited to that meeting and all subsequent meetings. To Mr. Brophy and Steve George, and would you again send them a letter saying that the next time they come with properties they want held for the good of the City that they bring a map and show us where they are who is going to buy them, how they are going to market them and what they plan to do with them.

**Mr. Givens** moved to excuse Mrs. Maslow for absence from the meeting.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Givens** moved to approve the minutes of Monday, June 1, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

I move to adjourn today's meeting and meet again on Tuesday, June 1, 1981 at 2:00 p.m.

---

**Michelle Madoff:**

What's wrong with Monday?

**Mr. Givens:**

Because its Flag Day and a public holiday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JUNE 16, 1981

No. 24

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAY**...Ass't City Clerk

Pittsburgh, PA  
Monday, June 16, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

At this time Mr. O'Malley has a resolution he would like to present and then we will get to the regular order of business.

**Mr. O'Malley:**

I would like to read this resolution myself because it is sort of a personal triumph. It took us three months to get this flag and I don't know how it has been worked on, but the resolution reads as follows:

No. 3345 WHEREAS, the Wind Symphony is celebrating 25 years of free concerts to the people of the City of Pittsburgh; and

WHEREAS, the Wind Symphony represents the City musically on the Inland and Intercoast waterways throughout this Country; and

WHEREAS, this fall they will be representing the city on a good will tour of the Caribbean; and

WHEREAS, they provide, free of charge, a variety of music to the old, the young, the rich and the poor, including both contemporary and classical music; and

WHEREAS, the County Commissioners have declared June, Wind Symphony Month in this County; and

WHEREAS, the Wind Symphony will start the City of Pittsburgh's Fourth of July celebration.

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh declares the week of June 28th to July 4th as Wind Symphony Week and gratefully presents them with the City of Pittsburgh Flag.

Which was read.

Jamie, will you come up please? I don't know how many people know we have a flag, but we put a lot of work and a lot of effort into obtaining this and this is something I hope they will take on the tour of the Carribean with them.

**Ms. Todd:**

Its just beautiful. I would just like to thank City Council and the City of Pittsburgh for supporting the American Wind Symphony for the past 25 years, it has been a very rewarding 25 and this is our home and no matter where we go we will always come back to Pittsburgh, so I hope you will all join us down at the Point. Dick has been down there and I hope you will all come down on July 3rd. Last Sunday night, you missed the American Wind Symphony playing the Pennsylvania Polka which is the Pittsburgh Steelers' fight song, which was fabulous, so please come down and hear it again. Thank you, and thanks for the flag, its great.

**Mr. O'Malley** moved for adoption.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**The Chair:**

Thank you young lady and Councilman O'Malley.

## **PRESENTATIONS**

**Mr. Flaherty** presented

No. 3317 Resolution providing for a Cooperation Agreement/s with the Stadium Authority of the City of

Pittsburgh for the removal of architectural barriers at Three Rivers Stadium to improve physical accessibility for the elderly and physically handicapped, and providing for the payment of the cost thereof not to exceed \$120,000.00, payable from CDBL 81-08, Public Building, Access by Handicapped.

Also,

No. 3318 Resolution providing for the acceptance by the City of Pittsburgh from Dolores Mae Salago of certain property in the 24th Ward of the City of Pittsburgh for public greenway purposes, for a nominal consideration plus the cost of title examination, recording of deed and other proper closing expenses; and providing for the payment of the cost thereof not to exceed \$500.00, payable from PMMP Trust Fund.

Also,

No. 3319 Resolution providing for the filing of a petition for the exoneration of taxes and transfer of properties in accordance with Act 787 of 1937, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens** presented

No. 3320 Resolution amending Resolution No. 201, effective 3/6/81, entitled, "Authorizing the City Treasurer on behalf of the City of Pittsburgh to accept funds from PAT, URA & PennDOT for consulting services in conjunction with Transportation Coordination for Central Business District and providing for the creation of a Trust Fund for receipt and payment of respective shares and providing for



Agreement/s with above mentioned parties in connection with Transportation Coordination for Central Business District.

Also,

No. 3321 Resolution amending Resolution No. 63, approved 1/30/81, effective 2/9/81, entitled, "Providing for an Agreement/s with the Commonwealth of Pennsylvania, Department of Transportation, for the reimbursement to the Commonwealth of the City's share of costs of construction and improvements on L.R. 120, Section 70M, known as Forbes Avenue, etc.," by increasing the total project allocation by Fifty Three Thousand (\$53,000.00) Dollars.

Also,

No. 3322 Resolution vacating Mulberry Way from Twenty-Third Street to a point 48 feet southwest of Twenty-Fourth Street in the 2nd Ward of the City of Pittsburgh.

Also,

No. 3323 Communication from Louis Gaetano, Director, Department of Public Works transmitting trial traffic regulations to be instituted on General Robinson Street and other streets listed therein for 60 days beginning June 10, 1981.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3324 Resolution providing for an Agreement with the Borough of Blawnox, for water supply through an existing water line connection and water meter located in Freeport Road, Borough of Blawnox.

Which was read and referred to the Committee on Water.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 3325 Resolution providing for the issuance of a warrant in favor of Raymond E. Virgili, P.O. Box 1629, Butler, PA 16001, in the amount of \$9,000.00, chargeable to and payable from the 1981 Capital Budget Account No. WD-81-01 (4-05-01-0980-81) for the sand blasting of the Lincoln Tank.

Which was read and referred to the Committee on Finance.

#### **Mrs. Masloff presented**

No. 3326 Resolution authorizing the issuance of a warrant in favor of Industrial Valve Corporation, in the amount of \$1,625.00 in payment for the reconditioning of various size valves for swimming pools, furnished for the benefit of the City without previous authority of law and providing for the payment thereof, payable from Code Account No. 1807, Repairs, Bureau of Administration.

Also,

No. 3327 Resolution authorizing the issuance of a warrant in favor of Ropet Incorporated in the amount of \$652.96 in payment for purchase of propane to fuel ice cleaning machine at

the ice skating rinks furnished for the benefit of the City without previous authority of law; and providing for the payment thereof, payable from Code Account No. 1839, Supplies, Materials, Bureau of Recreational Activities.

Which were read and referred to the Committee on Finance.

Also,

No. 3328 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$3,506.00 for extra work in connection with general contract for Highland Bathhouse.

Also,

No. 3329 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$2,180.32 for extra work in connection with general contract for construction of Frick Park Nature Center.

Which were read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 3330 Resolution providing for an Agreement/s with the Oakland Planning and Development Corporation, Inc., for the establishment of a Neighborhood Revitalization Office in Oakland for the implementation of the residential renewal work program as contained in the Oakland Planning Study at a cost not to exceed \$87,000.00, payable from CP 81-11, Oakland Study Implementation.

Also,

No. 3331 Resolution providing for

an Agreement/s with consultant/s to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof at a cost not to exceed \$299,000.00, payable from CP 80-02, CDBG, Citizen Participation and Information and CP 81-02, Citizen Participation and Technical Assistance, including Architects Workshop.

Also,

No. 3332 Resolution approving the sale of Block 174F, Lot 89 (7330 Hermitage) in the 13th Ward of the City of Pittsburgh by and between URA and George Johnson and Sandra Johnson for \$100.00, Great House Sale.

Also,

No. 3333 Resolution authorizing the URA of Pittsburgh to acquire the property in the 1st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 11-J, Lot Numbers 2 and 12, owned by the School District of the City of Pittsburgh and the City of Pittsburgh and providing for the payment of the costs thereof under the Industrial Land Reserve Fund.

Also,

No. 3334 Resolution approving the sale of Block 11J, Lot 2 and 12 in the 1st Ward of the City of Pittsburgh by and between URA and John Gonnella Masonry, Inc., and/or a partnership or corporation having Carl Perelman and Christine Sebastian Corporation as additional owners for \$50,000.00, Industrial Land Reserve Fund (Fifth Avenue).

Also,

No. 3335 Communication from Edward deLuca, Director, Department of

City Development, requesting permission to attend meeting in Governor's Office of Policy and planning concerning tax increment financing, Harrisburg, PA, June 25, 1981 at a cost not to exceed \$200.00, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Development.

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone presented**

No. 3336 Resolution increasing the bonded indebtedness of the City of Pittsburgh by an issue of General Obligation Bonds in the principal amount of \$70,000,000 for the purpose of providing funds to pay the cost of certain projects included in the City's Capital Improvement Program, to refund City of Pittsburgh General Obligation Bond Anticipation Notes of 1978, Series A, in the Principal amount of \$2,403,000, and General Obligation Anticipation Notes of 1979, Series B, in the principal.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 3337 Resolution providing for the issuance of a \$3,500.00 warrant in favor of American Energy Conservation, Inc., c/o William J. Schaaf, Esquire, in

settlement of claim for property damage due to a water main break on Peralta & Vinial Streets, charging same to Code Account No. 46, Judgments.

Also,

No. 3338 Resolution providing for the issuance of a \$811.96 warrant in favor of Martin P. Brassell in payment of auto damage by a Department of Police vehicle, charging same to Code Account No. 46, Judgments.

Also,

No. 3339 Resolution transferring the aggregate sum of \$8,000.00 within Code Accounts of or administered by the Department of Law.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 3340

Report of the Committee on Finance for June 10, 1981 transmitting sundry resolutions and ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3230

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Montour Contracting Company, Inc., in the amount of Seven Thousand Fifty One (\$7,051.00) Dollars in payment for 'Extra Work' furnished for the benefit of the City in connection with the construction of Point Park Band Shell

Foundation; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3254

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 246.04, Home Rule Earned Income tax, Collection at Source, by amending Subsection (b) and adding Subsection (b) (1) to provide for monthly remittance of such taxes by employers who collect or who should collect \$200.00 or more in Earned Income Taxes from their employees during each month; and adding Subsection (b) (2) providing for penalties in the event of non-compliance." (AS AMENDED BY SUBSTITUTE BILL)

Which was read.

Also,

Bill No. 3255

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 245.04, Earned Income Tax, Collection at Source, by amending Subsection (b) and adding Subsection (b) (1) to provide for monthly remittance of such taxes by employers who collect or who should collect \$200.00 or more in Earned Income Taxes from their employees during each month; and adding Subsection (b) (2) providing for penalties in the event of non-compliance." (AS AMENDED BY SUBSTITUTE BILL)

Which was read.

Also,

Bill No. 3256

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two-Fiscal, Article I-Administration, by changing the rate of penalty on unpaid earned income taxes withheld by employers." (AS AMENDED BY SUBSTITUTE BILL)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty      Mr. Robinson  
Mr. Givens        Mr. Stone  
Michelle Madoff   Mr. Woods  
Mrs. Masloff      Mr. DePasquale  
Mr. O'Malley      (Pres't)

AYES 9                NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3257

Resolution entitled, "Resolution providing for the issuance of a warrant to George G. Biddle and Margaret L. Biddle, his wife, c/o Harry Zimmer, Esquire, Meyer, Darragh, Buckler, Bebenek and Eck, 25th Floor, Grant Building, Pittsburgh, PA 15219, in the amount of \$5,000.00 for the City of Pittsburgh's share of the settlement of claim for property damage and providing for the payment thereof."

Which was read.

Also,

Bill No. 3258

Resolution entitled, "Resolution providing for the issuance of a warrant to Pellegrino A. Gaito and Catherine T. Gaito, his wife, c/o Alan Berman, Esquire, 806 Frick Building, Pittsburgh, Pennsylvania, 15219, in the amount of \$7,500.00 and the issuance of a warrant to Fireman's Fund Insurance Company in the amount of \$17,500.00 in full settlement of claim for personal injury and property damage and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty      Mr. Robinson  
Mr. Givens        Mr. Stone  
Michelle Madoff   Mr. Woods  
Mrs. Masloff      Mr. DePasquale  
Mr. O'Malley      (Pres't)

AYES 9                NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3259

Resolution entitled, "Resolution transferring \$15,000.00 from Code Account No. 1067, Salaries, Wages, Regular and Temporary Employees, Parking Income and Services Division, Department of City Treasurer, to Code Account No. 1061, Salaries, Temporary Employees, Department of City Treasurer."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty      Mr. Robinson  
Mr. Givens        Mr. Stone  
Michelle Madoff   Mr. Woods  
Mrs. Masloff      Mr. DePasquale  
Mr. O'Malley      (Pres't)

AYES 9              NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens:**

Mike, did you receive any letters back from the Golden Triangle Association, Small Manufacturers on those three bills?

**Mr. Perry:**

No, I didn't.

**Mr. Givens:**

Okay.

**Mr. Givens presented**

Bill No. 3341

Report of the Committee on Public Works for June 10, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3231

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of Mr. William Rauker, situated at the northwest intersection of Spring Garden Avenue and Vinial Street in the 24th

Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty      Mr. Robinson  
Mr. Givens        Mr. Stone  
Michelle Madoff   Mr. Woods  
Mrs. Masloff      Mr. DePasquale  
Mr. O'Malley      (Pres't)

AYES 9              NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

Bill No. 3342

Report of the Committee on Planning, Housing and Development for June 10, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3211

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned properties in

the 18th, 20th, 25th & 26th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 19-G-84, 15-R-112, 22-D-133, 22-D-138, 22-D-139, 45-M-109, 22-D-136, 22-D-169, 22-D-128C, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3239

Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the administration of the Lemington Home for the Aged Urban Development Action Grant Project; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3240

Resolution entitled, "Resolution authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the utilization and implementation of the following programs: Neighborhood Commercial Improvement Program (CP-81-12); Urban Redevelopment Authority Planning, Management and Administration of City Projects (CP-8-07) and the Urban Redevelopment Authority Property Management Program (UR-81-01)."

Which was read.

Also,

Bill No. 3241

Resolution entitled, "Resolution amending Resolution No. 443 of 1980 as amended by Resolution 687 of 1980 providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the Property Management and Maintenance Program; and providing for the payment of the cost thereof by increasing the cost thereof."

Which was read.

Also,

Bill No. 3242

Resolution entitled, "Resolution providing for a Contract or Contracts with Oakland Planning Development Corporation, a non-profit corporation, for the purpose of purchasing and rehabilitating properties located at 414 and 416 Atwood Street to provide housing for the mentally handicapped at a cost not to exceed \$100,000 (One Hundred Thousand Dollars) and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3243

Resolution entitled, "Resolution providing for a contract or contracts from time to time in connection with the demolition and removal of condemned buildings and providing for the payment of costs thereof."

Which was read.

Also,

Bill No. 3244

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Pittsburgh Factors Company for the sale of Parcels 25A and 25D in the Third Ward of the City of Pittsburgh in a portion of Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3245

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ethel Mosley for the sale of Parcels 25B and 25C in the Third Ward of the City of Pittsburgh in a portion of Redevelopment Area No. 31."

Which was read.

Also,

Bill No. 3246

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William J. Thomas and Anita L. Thomas for the sale of Block 124J, Lot 59 in the Twelfth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3247

Resolution entitled, "Resolution approving a form of Contract for

Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Bill Porter Wright for the sale of Block 174B, Lot 242 in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3248

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Miguel Sague and Lenia R. Sague for the sale of Block 174B, Lot 279 in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3249

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Lenoard Allen and Dorthea J. Buckner for the sale of Block 174R, Lot 139 in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3250

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gwendolyn Crawford for the sale of Block 175B, Lot 226 in the Thirteenth Ward of the City of



Pittsburgh."

Which was read.

Also,

Bill No. 3251

Resolution entitled, "Resolution authorizing the Mavor to execute an Agreement with the Urban Redevelopment Authority of Pittsburgh requesting approval by the United States Department of Housing and Urban Development of financial settlement of Lower Hill Project No. UR Penna. 7-1, and concurrence by HUD in said Agreement, providing for the maintenance and sale by Urban of remaining property in said Project, for the payment by the City of any obligations in excess of reserved funds in said project, and for the treatment of reserved funds in excess of obligations as income due the Pennsylvania Department of Community Affairs and as CDBG Program Income."

Which was read.

Also,

Bill No. 3298

Resolution entitled, "Resolution amending Resolution No. 496 of 1981, entitled, 'A Resolution authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement/s...with the Urban League of Pittsburgh, Inc., for a city-wide housing counseling and housing information services to the City in carrying out its Community Development Program...' by increasing the amount authorized from \$270,000.00 to \$300,000.00."

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### Mrs. Masloff presented

Bill No. 3343

Report of the Committee on Parks and Recreation for June 10, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3234

Resolution entitled, "Resolution amending Resolution No. 552, effective June 18, 1979, entitled, 'Providing for a contract or contracts for the renovation of Olympia Recreation Center and providing for the payment of the cost thereof', by decreasing the authorization to the actual amount expended."

Which was read.

Also,

Bill No. 3235

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the construction of Paulson Swimming Pool; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 3344

Report of the Committee on Lands and Buildings for June 10, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3227

Resolution repealing Resolution No. 395, approved 4/13/81, which repealed Resolution No. 1090, approved 12/5/79, for the sale of 2 story frame house at 116 Amanda Street (Mt. Oliver Boro) to Frank P. Leonardi & Joan Mitchell, for the sum of \$950.00. This amendment is to reinstate original Resolution with assignees, David & Eileen Koziak as purchasers.

Which was read.

Also,

Bill No. 3228

Resolution amending Resolution No. 867, Item (C), approved 8/25/80, for the sale of 2 story frame house, 707 Morgan Street, 5th Ward, B & L 10-D-159, to Junyetta Seale, for the sum of \$500.00. Amendment is to delete house from the sale and reduce the price to \$250.00 for the lot only.

Which was read.

Also,

Bill No. 3229

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### MOTIONS AND RESOLUTIONS

**Mr. O'Malley:**

Mr. President, I made a request of Michelle Cunko in Melanie Smith's office, to send me the names and addresses of a number of people who were to take an EMS test. I had people call me complaining that they had received notification of the tests after they were over. I requested the names from Civil Service so I could check with the rest of the people on the list to see if there were any improprieties; whether certain people were skipped intentionally or if it was merely an oversight.

**The Chair:**

Just for the record Mr. O'Malley, what is EMS?

**Mr. O'Malley:**

Emergency Medical Services.

**The Chair:**

Okay.

**Mr. O'Malley:**

Now, I sent a memo to Michelle Cunko and I am having the same problems that Michelle Madoff and Bill Robinson have — when a Councilperson wants something, they tip-toe around you, they just don't answer you. They sent my request back, said they couldn't give me the names and addresses unless it was requested by everyone on this Council. What I would like to know is, number one, anytime a Councilperson requests something from a department head, do we all have to sign it, or is that our own prerogative? Number two, I would like an opinion from the Law Department as to whether I am entitled to the names and addresses, so I can check to see if there are any improprieties. Everything will be kept strictly confidential, the names will not be released publicly, they will be kept in my office.

**The Chair:**

For some reason Mr. O'Malley, it has been that way. You are not setting a precedent in getting that information without the whole body of Council asking for it, I don't know why it is that way, but that is the way it has been.

**Mr. O'Malley:**

What are you saying? It has been that way —

**The Chair:**

Well, I don't want to agree with Michelle Cunko, but that has been the procedure. There is no reason why she couldn't have given you the information anyway, but it has always been the case of the entire body asking for that type of vital information.

**Mr. O'Malley:**

That's the whole thing, I have requested information from other

department heads and have had no problem receiving it. It just seems on this particular one -- this is dated May 26th and I talked to her on May 15th. Its just the same thing, as I said, Bill Robinson and Michelle, everytime a department head wants to dance around us, they just don't perform, they ignore our request. I for one, am getting tired of it. So I would like to have an opinion from the Law Department as to whether or not I am entitled to these names and addresses and I would like to have a motion from this Council that they be supplied. I so move.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, in line with what Councilman O'Malley is speaking about, I make it my business to read the real estate classified for various reasons, to find out what is going on, economics, the health of the City, and I read that the Pittsburgh Housing Authority has taken ownership of seven houses on a 1.8 acre area in the Glen Hazel Heights area in Hazelwood, from the Beaver Grade Construction Company under a \$457,917 affidavit. Now, maybe it is something that passed by me and I didn't get it during Council. I just asked Mr. Givens, he didn't know about it, I asked Mr. O'Malley, he doesn't recall anything nor does Mr. Robinson.

**Mr. Givens:**

No, I didn't make comment on the

**Michelle Madoff:**

I asked you if you knew about it and you said no.

**Mr. Givens:**

I didn't make comment --

**Michelle Madoff:**

Then I'll ask you now, do you know anything about it?

**Mr. Givens:**

I'm not making any comment. You have the floor.

**Michelle Madoff:**

I don't believe this. This is a zoo. I don't want to read about things in the paper. I want to know when you, Mr. President, ask this Council to vote on something -- maybe it was under another name, maybe -- my computer, which is only a simple little Council brain, doesn't remember every thousand resolutions of bills we have behind us, maybe it is something that came in under something else, maybe we voted on it. I just wanted to know whether it is anything we have dealt with.

Mr. Stone, as Finance Chairman, are you at all familiar with this piece of property?

**The Chair:**

He bought it.

**Michelle Madoff:**

Who knows. Does anybody know anything about 1.8 acres in the Glen Hazel Heights area of Hazelwood, from Beaver Grade Construction for almost \$458,000? It was bought by the Housing Authority.

**Mr. O'Malley:**

We bought it?

**Michelle Madoff:**

Yes. It says so.

**Mr. O'Malley:**

We paid \$458,000 for property? In that particular area? That seems like an awful lot of money.

**Michelle Madoff:**

Well, maybe there is a good reason, maybe it is something -- but I want to know about it. Would you please make a request, Mr. Perry, I will give you a Xerox of this, please find out what has happened.

Now, I'd like to address a couple of other items. I don't know if other people have been following the media, but it seems in some city, and I don't want to be held to it because I don't want to brand some city that may be erroneous, I think it was St. Louis but I'm not sure, somebody was arrested yesterday and they were ridiculing the fact that somebody ate three pistachio nuts on a bus and was fined and got off with a \$15 fine instead of a \$55 fine. But the purpose of the fine is that the buses are so dirty with people eating on them, and leaving pizza on the seats and filth, the buses are full of roaches and I heard that on the Lynn Hines Show today, that there are roaches on our buses, that we not only have to clean up this City, but the Port Authority -- taking it to the Port Authority, which we have no control over, except for whoever sits on the Port Authority Board --

**Mr. Stone:**

That case is not the City of Pittsburgh.

**Michelle Madoff:**

I realize that, it wasn't even in this City.

**Mr. Stone:**

That's right.

**Michelle Madoff:**

I said that, it wasn't even in the City, but I am pointing out that unless we start enforcing some laws, nothing is going to change. We can sit here for the next 20 years and talk about how dirty our City is, but until we get a couple of policemen out at very busy intersection bus corners and start fining a few people, the City isn't going to clean up and experiments have shown that where they put some policemen on the buses, the buses are now immaculate in this town where they really cracked down, and that now they are leaving it up to the bus drivers to make a comment, but the people have been educated the hard way. Maybe what we need to see in this City is some education the hard way. We need to see some policemen or policewomen or whatever, at the very busy, dirty intersections, patrolling some of our streets.

I remember when the Chamber of Commerce told me that litter was beneath them -- I hope its beneath them, they have to bend down and pick it up, but that that wasn't something that they have to deal with, that's not their bag -- I kid them about it whenever I see them.

Now, that goes back to the noisy radios. In Boston they have now taken the radios away, the policemen will give you a summons and remove the radio if you have it blaring. I think, the first time you can go down and get it back, the second time you lose it for good. We've got to start doing something about this City.

That brings me to the next item. Did anybody read about Renaissance II needing to include the unglamorous task of fixing sewer roads and the rest of the infrastructure according to the Allegheny Conference on Community Development? "The Conference, which serves as a liaison between the public and private sector focused on these needs at its annual report which was released today. Beneath the striking landmarks of Pittsburgh's Renaissance period rests an essential infrastructure of roads, bridges, curbed sidewalks, locks, dams, parking facilities, waters and water systems. James H. Higgins, Conference Chairman and Jerry McAfee, Conference President, has stated in the report that much of the sub-strata has already begun to deteriorate. If the trend continues, the effective results of our Renaissance could ultimately be lost as well."

So that what they are saying is that unless we do something about our deteriorating bridges, our sewer systems, our water lines, which are 100 years old, etc., there was another article in another paper that went into much more detail, I cut it out but I didn't bring it in, and it goes on about the schools, etc., that all this Renaissance II is going to be for naught. That unless we do something now, it goes on to say that the private sector is talking about their involvement in helping to perhaps underwrite or fund, or in some way, look into the needs affecting all of us, and they, you know, got a big cut in taxes.

Now I would appreciate it if our Mayor or the President of our Council might set up a meeting with the — I sit on the sub-committee of the Allegheny Conference and most of the members of the Conference are on that with the steam heat plant which we just lost to some out of town community that is going to develop and they are going to

charge us twice what we had got it for. But it would be very nice if we could meet with the representatives or with the Allegheny Conference and not just with the Mayor so that I don't get a note on my desk today saying we are going to supply water to Glenshaw, I want to know what we are going to pay for it, I don't want to find out after the fact, why don't we sit down with the Allegheny Conference and find out what do they plan? What is it they are going to do to help us with this infrastructure, because Mr. Stone is going to be faced, as head of the Finance Committee on next year's budget, and we don't want to wait until December or November, what are we going to do so we don't wipe out all the good of Renaissance II? Why don't we start thinking about it now?

Could you set up such a meeting with the Allegheny Conference? Could we make that a formal letter Mr. President, from the Clerk, to the Mayor and to the Allegheny Conference, that would be the two people mentioned in this article, I think it is Higgins and McAfee, if they would be so kind as to report to Council on their thoughts and ideas, we'd love them to share them with us because we would like to know how we are going to find money in next year's budget to do some of these things in the next few years. Because the total monies anticipated from the Oxford, the PPG, and Dravo, etc., is \$4-1/2 Million ultimately in tax revenue. That isn't going to be enough to do the job.

And maybe we need a full time lobbyist, which is one of the things I've been harping on, to get us somewhere in Washington, to get the message home that in an emergency you can't get across our bridges. If you try to cross the bridge Mr. President, now that the barges were floating, the bridge going to the airport — its an hour to get across that bridge. What if we had a tragedy?

What if we had a toxic spill in this City and people had to get out of this City? We just sit here like window dressing. We find out about sale of property after it happens. I don't want to find out about it then. I don't want to get rhetoric back from a department head when you ask a question, I want some answers. I sent a letter about someone getting hit in the eye with a tennis ball. We know we don't want to take insurance for the multitude of things that happened in the City, we are self-insured, that it is cheaper. But maybe on certain accidents it would be cheaper to take some inexpensive insurance because we don't have that many accidents, like a tennis ball in the eye. Well, I fortunately dealt with Michelle Cunko and the problem was with Louise Brown, where I got an answer back saying, "We are already covered" — well I know that. But I want to know why we don't look into some other method of operating. We need a little innovation in government. There isn't going to be any money the way it used to be. And your idea that you expounded to the Mayor of getting on and selling these properties and giving them to realtors is an excellent one. But you are saying it, you propose and he disposes.

**Mr. Stone** moved to approve the minutes of Monday, June 8, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JUNE 22, 1981

No. 2

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAY...Ass't City Clerk**

Pittsburgh, PA  
Monday, June 22, 1981

#### PRESENT:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	(Pres't pro tem)

ABSENT: Mr. DePasquale, Mr. O'Malley,  
Mr. Robinson

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 3346 Resolution authorizing the sale of City property designated as

Block and Lot No. 3-G-85, 17th Ward, to George Silverman for the sum of \$17,500.00, located at 901 Bingham Street, known as the Old No. 11 Fire Station.

Which was read and referred to the Committee on Lands and Buildings.

##### Mr. Givens presented

No. 3347 Resolution amending Resolution No. 808, approved 8/19/80, entitled, "Providing for an Agreement/s with a professional engineering firm for engineering services in connection with Mission Street Bridge West (PW 79-18) & Mission Street Bridge East (PW 79-19) and providing for the payment of costs thereof" by decreasing total allocation by \$1,936.32, from \$15,000.00 to \$13,063.68.

Also,

No. 3348 Resolution amending Resolution No. 203, approved 2/26/81, entitled, "Providing for a contract/s or utilization of existing contracts authorizing the resurfacing of various City streets and Park roads with bituminous materials, including asphalt milling, planing, regrading, recurring and other work incidental thereto and providing for the payment of costs thereof" by increasing the total allocation by \$1,000,000.00 from \$2,000,000.00 to \$3,000,000.00, payable from PW 81-01.

Also,

No. 3349 Resolution providing for a contract/s for the reconstruction of the Colera Street Footbridge over Streets Run Creek, including private property and other work incidental thereto and providing for the payment of the cost thereof not to exceed \$65,000.00, payable from PW 81-21.

Also,

No. 3350 Resolution providing for a contract/s for the rehabilitation of the Mission St. Bridges including private property and other work incidental thereto; and providing for the payment of the cost thereof not to exceed \$661,936.32 payable from PW 81-19, PW 81-20, CEPW 79-18 and CDPW 79-19.

Also,

No. 3351 Resolution providing for a contract/s for reconstruction of Steuben Street sidewalk wall, sanitary and storm sewer, including private property and other work incidental thereto and providing for the payment of the cost thereof, not to exceed \$404,400.00 payable from PW 81-31, PW 80-30 and CDPW 80-30.

Also,

No. 3352 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$2,535.28 for rental of a van used by bridge personnel.

Also,

No. 3353 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$294.00 for rental of two typewriters used by Department personnel.

Which were severally read and referred

to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3354 Resolution providing for issuance of a warrant in favor of Sciulli Brothers, Inc., 3718 Dawson Street, Pittsburgh, PA 15213, in the amount of \$745.00, chargeable to and payable from C.B.A. No. WD-79-05 (4-05-15-0002-79-28-79-05-79), in payment for the removal and resetting of stone walls.

Which was read and referred to the Committee on Finance.

Also,

No. 3355 Resolution providing for a contract or contracts for installation of a liner along with associated work at Highland Reservoir No. 1 at a cost not to exceed \$2,000,000.00, chargeable to and payable from Capital Budget Accounts WD-79-02 (4-05-02-0896-79) WD-81-02 (4-05-02-0986-81).

Which was read and referred to the Committee on Water.

#### **Mrs. Masloff presented**

No. 3356 Resolution authorizing issuance of a warrant in favor of Roland Hawkins in the amount of \$3,500.00 in payment for the purchase of library books and Bird and Nature Paintings without previous authority of law and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 3357 Resolution repealing Resolution No. 75, approved 1/30/81, effective February 9, 1981, entitled,

"Providing for the letting of a contract/s in connection with the construction of the Sacramento Street Playground; and providing for the payment of the cost thereof" which is not to exceed \$55,000.00.

Also,

No. 3358 Resolution providing for a contract or contracts or use of existing contracts for installation of bituminous paving and providing for the payment of the cost thereof not to exceed \$50,000.00.

Also,

No. 3359 Resolution providing for a contract/s or use of existing contracts for installation of concrete work; and providing for the payment of the cost not to exceed \$50,000.00.

Also,

No. 3360 Resolution providing for a contract/s or use of existing contracts for construction of fence and providing for payment of cost thereof not to exceed \$25,000.00.

Also,

No. 3361 Resolution providing for a contract/s or use of existing contracts for the color coat surfacing of various basketball and tennis courts within the City of Pittsburgh and providing for the payment of the cost thereof not to exceed \$30,000.00

Also,

No. 3362 Communication from Louise R. Brown, Director, Department of Parks and Recreation, advising Council of changes in the admission fees to the Pittsburgh Aviary effective July 13, 1981.

Also,

No. 3363 Communication from Louise R. Brown, Director, Department of Parks and Recreation, advising Council of changes in the admission fees to Phipps Conservatory effective July 13, 1981.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mrs. Masloff for Mr. O'Malley presented**

No. 3364 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for Captain Thomas Hitchings to attend Interagency Committee on Arson, Harrisburg, PA August 13, 1981, at a cost not to exceed \$250.00, payable from Code Account No. 1463-1, Education and Travelling Expenses, Department of Fire.

Which was read and referred to the Committee on Public Safety.

**Mr. Woods for Mr. Robinson presented**

No. 3365 Resolution providing for an Agreement/s with the Champion Association, Inc., for the performance of professional services in connection with their 1981 Summer Basketball Program and transferring the sum of \$5,000.00 from Code Account 10, Account Payable, Prior Years to Code Account No. 1838, Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill

was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3366 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12 by changing from "R4" to "R2" certain property having frontage on Halket Street, Halket Place; Louisa Street and Coltart Avenue, 4th Ward.

Also,

No. 3367 Resolution providing for an Agreement/s with Donald Gibbon for Photographic Services in connection with the Department of City Development's advertising and public relations needs; and providing for the payment of the cost thereof, not to exceed \$400.00, payable from Code Account No. 1900-1.

Also,

No. 3368 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission to attend training seminar meeting on federal projects and historic preservation law, Washington, DC, July 13-14, 1981, at a cost not to exceed \$350.00, payable from Code Account No. 1103, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Woods for Mr. Stone** presented

No. 3369 Resolution providing for the issuance of a \$9,000.00 warrant in favor of Theodore Hildebrand, Jr., for

property damage due to a water main break on Peralta and Vinial Streets, charging same to Code Account No. 46, Judgments.

Also,

No. 3370 Resolution providing for an Agreement/s with Pittsburgh Opportunities Industrialization Center, Inc., to provide classroom training for thirty (30) CETA Participants for the positions of Cable TV Splicer (12), Cable TV Installer (12) and Cable TV Technician (6) and providing for the payment of the costs thereof, at a cost not to exceed \$94,002.00, payable from CETA Trust Funds, Federal Funds.

Which were read and referred to the Committee on Finance.

**Mr. Woods** presented

No. 3371 Resolution providing for the transferring of the sum of \$255,000.00 from various code accounts to various code accounts, all within the Department of Supplies.

Which was read and referred to the Committee on Finance.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

## UNFINISHED BUSINESS

**The Chair** presented

Bill No. 3372

June 18, 1981

President and Members  
of City Council  
City of Pittsburgh

Dear Sirs & Madams:

It is with reluctance that I am vetoing Resolution 2999 submitted by Director Brophy which provides for an Agreement or Agreements with the County of Allegheny, School District of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh regarding the disposition of properties acquired at City Treasurer's Sales.

This legislation was introduced in an effort to speed up the process by which properties can be agreed upon by the Three Taxing Bodies for Urban Homesteading and other programs in that quick disposal of public properties for good use.

The amendments made by Council which require that no more than 25 properties be handled by way of this Resolution, and particularly Section 3 which requires that two-thirds of the properties shall be made available to neighborhood/ward residents, render this an agreement which would follow from the Resolution to be administratively inoperative.

I would be happy to sign this legislation as originally submitted, without the amendments.

Sincerely,  
Richard S. Caliguiri,  
Mayor

RSC:lam  
cc: Paul Brophy

Which was read, received and filed.

Also,  
Bill No. 2999

Resolution entitled, "Resolution providing for an Agreement Agreements with the County Allegheny, School District of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh regarding the disposition of properties acquired at City Treasurer's Sale."

Which was read.

#### **The Chair:**

This last bill that was read is the matter of the bill that was sent relative to the disposition of properties. If you will recall, there was a bill put in and there were some amendments made to it. It was my impression that the original bill was well intended, it was my impression that the amendments which were made were well intended. I don't know that we should get into a clash with this thing, apparently there is something of some substance which causes a veto at this time.

I would suggest that we sustain the veto at this point and come back with another bill that is acceptable to all parties at that time.

#### **Michelle Madoff:**

I would suggest that before we do anything on the bill, we have the Mayor come and tell us why he is opposed to it, what he would like to change and meet with us so that we don't vote in a vacuum.

#### **The Chair:**

You don't have that luxury Michelle, it has --

**Michelle Madoff:**

I don't mean today --

**The Chair:**

That is my exact point. Hear me out. We have to act on it now, if we are going to override, you have to override it today. I don't think this will kill the bill because as far as I, personally, am concerned, some of the amendments that were made were well intended and I think we ought to keep it in that vein.

**Michelle Madoff:**

Well there's nobody here.

**The Chair:**

Yes, that is unfortunate, that is the reason I am suggesting that we sustain this at this time, come in with new legislation and work on it together.

**Michelle Madoff:**

So if you vote to sustain you vote aye, and if you vote to not sustain, you vote no.

**The Chair:**

Correct.

**Michelle Madoff:**

Okay.

**Mr. Woods** moved to sustain the Mayor's veto.

**Mrs. Masloff** seconded the motion.

**Michelle Madoff:**

Opposed.

**The Chair:**

Roll call vote.

**Michelle Madoff:**

If we are voting to sustain the Mayor's veto --

**The Chair:**

Michelle, when I am at the head of the table I generally know what is going on, I can handle a meeting without any assistance.

Mr. Flaherty, we are now discussing the matter of the bill that went to the Mayor and was vetoed and it is up now for consideration. I made a comment before you came into the room that the original bill as presented was well intended, the amendments were well intended. There apparently are some differences, however, I suggested that in view of the fact that we have to act on it today, we sustain that veto today and then work on the bill together and try to get another substitute bill. Okay?

So, right now we are taking a roll call vote on it.

**Mr. Flaherty:**

Could you explain, is an "aye" for sustaining the veto?

**The Chair:**

Yes.

**Michelle Madoff:**

I am voting no and I would like it noted that it is because for two-and-a-half years I've been trying to get something to happen.

**The Chair:**

Is there any further discussion on

the veto?

And on the question, "Shall the veto be sustained?"

The ayes and noes were taken agreeably to law, and were:

**AYES:**

Mrs. Masloff  
Mr. Woods  
Mr. Stone  
(Pres't pro tem)

**NOES:**

Mr. Flaherty  
Michelle Madoff

**Mr. Givens:**

Excuse me, if I could have one minute please.

**The Chair:**

You have your other choice, I did this hoping that we would get some compromise. If not, the next motion that would be accepted is that we override the Mayor's veto.

**Mr. Givens:**

Voting yes overrides the Mayor's veto?

**The Chair:**

No, if you would vote yes now, you would be voting to sustain the Mayor's veto. I did that hoping that it would solve a problem, but we may have to go to the second vote at the rate we are going.

**Mr. Givens:**

I just got in and I am just reading

this, it just came over today.

**The Chair:**

Mr. Givens let me try again since I gave some explanation on this before can you hear me? This is the bill relative to that property in which the original bill, as I indicated earlier, was well intended, the amendments were well intended, but apparently there is some confusion between the two of them. I suggested that we might sustain the Mayor's veto on this bill at this time but, the bill to be coming back and to be worked out because it has to be acted on at this particular time. I'll help you a little bit, you are the deciding vote on whether we need one or two votes.

Mr. Givens, maybe your vote is moot at this point in either event. Let me try this if I may. Can I change the vote the other way, it is a question of whether we are going to override the Mayor's veto, okay? Can we dispense with the vote we now had and I will now entertain a motion for those who want to override the Mayor's veto at this particular time, that is the only way we can do it.

**Mr. Givens:**

Okay, what is the count right now?

**Mr. Perry:**

We're going to start all over, the motion is going to be made to override the Mayor's veto.

**The Chair:**

Let me suggest again, I made that, hopefully, to be a compromise suggestion. If that doesn't pass, then we just do the reverse, as I am seeing it now, there are not enough anyhow, so we

are just going to have to do the converse,  
let me have a motion from the floor —

**Mr. Givens:**

Well, what I did hear from you was that this is going to — if the Mayor's veto is sustained, then it will go back to the drawing boards, to the department head and they will re-work this particular bill?

**The Chair:**

I was suggesting that we not get into a clash on this issue and just sustain at this point to clear off the table and then bring a bill back that is acceptable to everyone. I think that makes sense, okay?

**Mr. Givens:**

Okay.

**Michelle Madoff:**

I'm staying just with my vote, no. I'm not changing and the reason I am not changing is that nothing will happen. This business of getting together will never happen.

**The Chair:**

Hold on. Mr. Givens has the floor.

**Mr. Givens:**

I understand.

**The Chair:**

Do you want to vote?

**Mr. Givens:**

Well, I thought we were going to re-vote — this is on the actual bill itself?

**The Chair:**

Well, let me do it the other way because there seems to be a group that would like to override the Mayor's veto in spite of the suggestion I made, so at this point I would like to remove from the table the present vote and motion and at this point entertain a motion to override the Mayor's veto, that is all I can see from it now.

**Michelle Madoff:**

Then what do we vote? Yes, then?

**The Chair:**

Yes.

**Michelle Madoff:**

We change our vote from no to yes.

**Mr. Woods:**

I withdraw my original motion.

**Mrs. Masloff:**

I withdraw my second to the original motion.

**Mr. Flaherty** moved to override the Mayor's veto.

**Michelle Madoff** seconded the motion.

**The Chair:**

Okay I have a motion and a second. The vote right now, very clearly, so everybody understands, is to override the Mayor's veto. Okay? If you want to override the Mayor's veto you will vote yes. If you don't want to override the Mayor's veto you will vote no.



**The Chair:**

Is there any discussion on the veto?

And on the question, "Shall the veto be overridden?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Flaherty  
Michelle Madoff

NOES:

Mr. Givens  
Mrs. Masloff  
Mr. Woods  
Mr. Stone  
(Pres't Pro Tempore)  
AYES 2

NOES 4

And a majority of the votes of Council not being in the affirmative, the veto was sustained.

**Michelle Madoff:**

Clarification, we understand from Mr. Givens that we need six votes?

**The Chair:**

We need six votes to override the Mayor's veto.

**Michelle Madoff:**

So it doesn't matter anyway, we don't have six votes to sustain.

**The Chair:**

The motion fails, we have not overridden the Mayor's veto.

**Michelle Madoff:**

But if we had voted the other way, what would it have meant, if we had stayed with the original --

**The Chair:**

You have to come back to the motion, I was only trying to suggest a compromise that I thought made sense in my efforts to come up with a good --

**Michelle Madoff:**

Then why don't we follow through and set up a meeting to discuss exactly what you are suggesting?

**The Chair:**

I think it should come through the mill because if it were something that somebody was trying to thwart, something it would be different. I just saw that everybody's input on that bill was well intended and that was the reason I suggested it that way.

**Mr. Givens:**

Just a point of privilege on whatever you want to call it here, in this particular vote, so I am to understand that it has passed?

**The Chair:**

Has not passed.

**Mr. Givens:**

Has not passed, but we sustained the Mayor's veto.

**The Chair:**

Yes, it is in because we didn't override it.

**Mr. Givens:**

Does it require the simple vote of the Councilpeople that are here, or does it require five --

**The Chair:**

A motion to override the Mayor would require six votes.

**Mr. Givens:**

Well, how many votes, then, to sustain?

**The Chair:**

To sustain? Five.

**Mr. Givens:**

Well, that is what I would like the Parliamentarian to give us an answer on. What I am trying to find out is has it passed or failed?

**The Chair:**

The Mayor's veto, in effect, has been sustained because it has not been overridden.

**Mr. Givens:**

But my question is, do you need the five votes within Council? Do you need a quorum of Council?

**Mr. Perry:**

We have a quorum.

**The Chair:**

We have a quorum of Council.

**Mr. Givens:**

I mean the --

**The Chair:**

But to override, the vote still needs six, and on regular legislation, five.

**Mr. Givens:**

You've got four votes, that was my point.

**Mr. Perry:**

Excuse me, the correct motion is to override. That is the correct motion and that is what --

**The Chair:**

No, you are complicating it Mike, hold on.

**Mr. Givens:**

How many votes does it require?

**The Chair:**

Let me back up for you. I made a suggestion that was not acceptable, okay? We then got, by virtue of Mr. Flaherty's motion, Michelle's second, which was to override the Mayor's veto. There were two votes to override and the other four were opposed to overriding. That, failing to obtain six votes -- that motion -- fails, in effect, the Mayor's veto stands.

**Mr. Givens:**

At a Committee Session, yes. At a final legislative session, I think it requires five votes for any piece of legislation to pass or fail. That is legislation. My question was, is his letter of wanting to override -- requires five votes.

**Michelle Madoff:**

But you're saying we can't even vote today.

**The Chair:**

You've asked me for an opinion and I've given it.

**Mr. Givens:**

Well, we can go on -- no, I asked for the Parliamentarian's opinion on it and --

**The Chair:**

Mr. Parliamentarian, have I cited correctly what the provisions are or not?

**Parliamentarian:**

According to Section 321 of the Home Rule Charter, the override requires two-thirds vote of all members of Council.

**The Chair:**

And that's how many?

**Parliamentarian:**

Six.

**The Chair:**

Fine.

#### REPORTS OF COMMITTEES

**Mr. Woods for Mr. Stone presented**

Bill No. 3373

Report of the Committee on Finance for June 17, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3270

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Cassady-Pierce Company, Inc. in the amount of \$135.00, \$246.42 and \$146.25 totalling in the aggregate \$527.67 in payment for materials purchased in connection with emergency roof repairs at the Lang Pool Building and providing for the payment thereof."

Which was read.

Also,

Bill No. 3288

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Ateco Equipment, Inc., P.O. Box 8741, Pittsburgh, PA 15221, in the amount of \$5,957.15 in payment for repair of two crane trucks furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3289

Resolution entitled, "Resolution further amending Resolution No. 190, approved February 26, 1981, as amended by Resolution No. 428, approved May 1, 1981, entitled, 'Providing for the issuance of a warrant in favor of Scullion Brothers Inc., 3718 Dawson Street, Pittsburgh, PA 15213, in the amount of \$2,900.00 in payment for cutting and capping an existing fire hydrant branch and removal of an existing brick box casting furnished for the benefit of the City and providing for the payment thereof,' by changing the Capital Project

Number and Encoding Number."

Which was read.

Also,

Bill No. 3291

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Arsenal Electric Company in the amount of \$1,045.00 in payment for work performed at Highland Park Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3308

Resolution entitled, "Resolution providing for the issuance of a \$6,349.56 warrant in favor of Jeffrey H. Cohen and Carol Chisholm Brown in payment of claim for property damage."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mrs. Masloff
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
	(Pres't
	Pro Tempore)

AYES 6

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Michelle Madoff:**

Mr. Stone, are we going to be covering that \$70 Million Bond today?

**The Chair:**

No. You didn't hear it read, did you?

**Michelle Madoff:**

That's why I was wondering whether we were missing something.

**The Chair:**

No, the only thing before us right now is the bills that were just read.

**Michelle Madoff:**

Point of clarification, since the \$70 Million Bond would come under, I believe, Finance, is that correct?

**The Chair:**

That matter is not up for discussion at this point.

**Michelle Madoff:**

I just want to know when it is going to be up for discussion, that was a point of clarification.

**The Chair:**

It is not going to be discussed today.

**Michelle Madoff:**

We're never going to discuss it?  
We're just going to vote without  
discussing it?

**The Chair:**

We are not voting on it today.

**Michelle Madoff:**

When do you plan to vote on it?  
Are we going to hold it another week?

**The Chair:**

We are not voting today. I don't  
know what more I can say. I will  
entertain papers from Mr. Givens, Public  
Works.

**Michelle Madoff:**

Am I not allowed to ask when, for  
the public to know when we are going to  
vote on that?

**Mr. Givens:**

Well, I think the point that she is  
trying to bring out is, are we not going to  
hold this meeting open until this coming  
Thursday?

**Michelle Madoff:**

I can't get an answer.

**The Chair:**

I have no objections at the time  
when we complete the reading of the  
papers, at that time a question would be  
proper, right now it is out of order.

**Michelle Madoff:**

I thought it was in order since  
we're on finance matters.

**The Chair:**

I know you think many times  
things are in order but they are not and  
--

**Michelle Madoff:**

I understand you are running for  
Controller and I know you've got this  
romance going with the Mayor, but that  
is not going to happen, or allow you to  
treat me the way you do, I'm just going  
to stick to my guns when I'm right.

**Mr. Givens:**

Michelle, I thought I heard you  
were running for Controller too, among  
some other people, you know what I  
mean?

**Michelle Madoff:**

No, no, its going to be Mr. Yates  
and Mr. Stone and maybe Mr. Itkin.

**The Chair:**

You may stick to your guns if you  
want, but Roberts Rules of Order apply  
to you as to everyone else.

**Mr. Givens presented**

Bill No. 3374

Report of the Committee on Public  
Works for June 17, 1981 transmitting  
sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative  
recommendation,

Bill No. 3279

Resolution entitled, "Resolution  
providing for a contract or contracts for  
the grading, paving and curbing of

Denniston Street from existing Aurelia Street to Marchand Street and the repaving of Aurelia Street from the proposed Denniston Street to a point 400'± west of the proposed Denniston Street including work on private property, waterline installation and reinstallation, and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3280

Resolution entitled, "Resolution providing for a contract or contracts for the construction of sidewalk ramps for the handicapped at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3281

Resolution entitled, "Resolution providing for a contract or contracts for step reconstruction at various locations in the City of Pittsburgh, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3282

Resolution entitled, "Resolution providing for a contract or contracts for the construction of the McKinley Park Steps and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3283

Resolution entitled, "Resolution changing the name of Cemetary Lane, from Lanark Street to Meadeville Street in the Twenty-Fifth (25th) Ward of the City of Pittsburgh, to Television Hill Street."

Which was read.

Also,

Bill No. 3292

Resolution entitled, "Resolution granting unto Joseph B. Carse and Debra A. Carse of 1938 Broadway Avenue, 20th Ward of the City of Pittsburgh, their successors and assigns, the license and privilege to construct and maintain a sewer and use an easement for said sewer under and across property owned by the City of Pittsburgh in the 20th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. Woods  
Mr. Stone  
(Pres't  
Pro Tempore)

AYES 6

NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

**Mr. Woods for Mr. Robinson presented**

Bill No. 3375

Report of the Committee on Planning, Housing & Development for June 17, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3299

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John F. Wally and Barbara S. Wally for the sale of Block 115C, Lot 166 in the Twenty-Sixth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3300

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and R. M. Passino and P. L. Passino for the sale of Block 23G, Lot 132 in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3301

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and David E. Weaver for the sale of Block 22D, Lot 10 in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3302

Resolution entitled, "Resolution approving execution of a Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and listed redevelopers for the sale of the listed properties in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3303

Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the listed redevelopers for the sale of the listed properties in the Twenty-Sixth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

All the bills pertaining to URA, I don't see how you can ask Mr. Flaherty, Councilman Givens, or myself to vote for

any URA bill when they don't want to sit down and talk with us about giving us information.

**Mr. Givens:**

Be specific.

**Michelle Madoff:**

Well, we know its a side lot for a dollar, I have no objections, but when we have special lots they are holding and we can't get information, properties are being held, we just want to have something where we get information, not lack of information, they can't come back and ask us to vote.

These are all bills with URA -- I vote no on all bills as a protest vote. Make that a note, it is a protest vote.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Woods
Mr. Givens	Mr. Stone
Mrs. Masloff	(Pres't
	Pro Tempore)

AYES 5                      NOES 1  
(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 3376

Report of the Committee on Water for June 17, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3290

Resolution entitled, "Resolution amending Resolution No. 1430, approved December 30, 1980, entitled, 'Resolution adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program', by increasing (WD-79-03) and decreasing (WD-79-04) funds from prior year projects, listing funds for a prior year project (WD-76-04) inadvertently deleted and decreasing funds for line item WD-81-15 (Bloomfield Bridge) and adding new line item WD-81-24, Forbes Avenue Bridge."

Which was read.

Also,

Bill No. 3324

Resolution entitled, "Resolution providing for an Agreement with the Borough of Blawnox for water supply through an existing water line connection and water meter located in Freeport Road, Borough of Blawnox."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Since Blawnox is buying water



from us, perhaps only on a temporary basis until they decide whether they are going to clean up or not, and I think we ought to be having the Administration looking into whether we ought to be giving the same rate, if it is only temporary, and causing us -- whether there is any undue cost to us. This is one of the things we had asked that the Water Department look into. I will vote aye because they need the water. Its contaminated.

**MICHELLE MADOFF'S COMMENTS ON  
BILL NO. 3324 FROM THE POST  
AGENDA OF WEDNESDAY, JUNE 17,  
1981.**

**Michelle Madoff:**

Superintendent Coll, we are doing this piecemeal it appears, last week two other people appeared and this week you are appearing, we are not getting anybody together; I have asked, you know, that --

**Superintendent Coll:**

Officer Caldwell is a traffic officer, I don't know what input he could give now.

**Michelle Madoff:**

I asked McNamara to be here too, he was here last week and you were not. I presume you were tied up with another commitment. What I am looking for is in 1979 when we had the 18,000 burglar alarms go off, of which 95% were false and the policemen are coming in with loaded guns into banks and if we could have gotten here ten minutes earlier, and with burglar alarms going off, we have some new laws to cover that. (A). What is happening and (B). I understand that the calls are going up because we haven't enforced the law yet, substantially. I want to know the

progress. You also made a statement that really distressed me at the time. You said well of the 18,000 calls that went out on, that is only one person, now that didn't make any sense to me and I would like justification on that manpower or workpower. You said one and a half people it makes in difference and it didn't make any sense and I have asked McNamara and the office to double check that figure because that didn't make sense and it is in the record and I will show you the transcript.

**Superintendent Coll:**

Perhaps you misunderstood me.

**Michelle Madoff:**

You misunderstood me, because that's what you said.

**Superintendent Coll:**

Maybe you misunderstood, but I will clear it up for you. We estimated that the average length of a call is half an hour; it took two officers to go on a call, so really, you had one man hour lost on a false alarm; you had 18,000 false alarms, you have 18,000 manhours lost the average officer works 2,080 manhours a year, you divide that 2,080 and you have the number of men you lost, we get about 10 officers.

**Michelle Madoff:**

10 officers, with today's problems and a lack of police, is a lot of officers.

**Superintendent Coll:**

Certainly, I have no argument with that.

**Michelle Madoff:**

That clears it up for the record

and I would like that to be put into the permanent record on Monday, that there are 10 officers; I will show you. It may have been a misunderstanding; I will show you the transcript where you said its only one and a half officers. I will show you that. It isn't one and a half, its 10 officers, that is very important.

**END - MICHELLE MADOFF'S REMARKS - 6/17/81.**

**MICHELLE MADOFF'S REMARKS ON BILL NO. 3324, FROM THE MEETING OF WEDNESDAY, JUNE 17, 1981.**

**Michelle Madoff:**

Mr. Finance Chairman, this is very important. For two years running now during budget time, I have asked that we do something about amending the rates for bulk water. We are about to enter into contracts with a number of communities. We had a little chat yesterday. Mr. Bruecken, about West Penn Water, they are only going to get the bulk rate. If indeed in Blawnox they do buy enough water, but it is conceivable that they would have that bulk rate and so will some of the other communities. Our bulk rate is too low, we are not making any profit and it is the life support of this City financially and I see no reason why we should not only cover our cost, but make a profit when indeed they have to pay a great deal more to produce their own water.

This is the month of June and I want to be on record and I want this carried over into Monday's record, that in the month of June, I asked that we amend those rates to increase the rates to boroughs and townships who want to buy the good City of Pittsburgh water.

Now that brings us to the next issue. Did you see this article in the morning paper, Mr. Chairman, about the

"Fear Over Safety Tap Water Still Haunts Beechview Residents"? It appears that while the water comes from —

**MR. STONE COMMENTS.**

**Michelle Madoff:**

You want to finish this one and I will get on the next one. I want to make a motion that we have an increase plan, I have asked the Mayor —

**MR. STONE COMMENTS.**

**Michelle Madoff:**

That's right, I want to move on this under one condition, that within two weeks, I have a new rate schedule for next year on bulk water rates. I want an increase.

**MR. STONE COMMENTS.**

**Michelle Madoff:**

Sometimes, if you don't put conditions on the bill, you don't get the information you need.

**MR. STONE COMMENTS.**

**Mr. Bruecken:**

It is important, these people have contaminated water in their water pit and they do need that water and it is very essential that it passed.

**Michelle Madoff:**

And I am not going to hold up the bill, obviously. To finish the item, will you give me that information in two weeks?

**MR. STONE COMMENTS.**

**Michelle Madoff:**

Commercial and industrial as well, and not on residential.

**MR. STONE COMMENTS.**

**Michelle Madoff:**

To continue, finish the last water item, according to the people that held their meeting last night, one spokesman for Beechview Citizens for Safe Drinking Water said that only 33 of the 3,000 affected houses were tested and those were homes that had not suffered the worst contamination; and they go on to say that the water still feels greasy. We are not living with that, we had that experience in East End, remember when I first got here, we had 10 days when it tasted like gasoline or what have you. I want to see the reports. I want the Councilmembers to see the report from the worst homes and what we are reading now, not the 33 best ones, and we have a consultant that --

**MR. STONE COMMENTS.**

**Mr. Bruecken:**

Its actually directed by Mark Richards of the County, he is running the show.

**Michelle Madoff:**

He is not runing my Water Department.

**MR. STONE COMMENTS.**

**Michelle Madoff:**

Let me be specific, we have a contract with CMIR, we also had a contract with Schuill and Shuckrow to take at random, sampling and I don't want anybody to know when they are

being taken, when they are being taken at the worst home. I want split sample and I want them to go to a lab, necessary. I will give you some out the City and I want to see the results those tests myself and I will have experts review them.

**END - MICHELLE MADOFF'S REMARKS ON BILL NO. 3224 - 6/17/81.**

**The Chair:**

Is there any further discussion of the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. Woods  
Mr. Stone  
(Pres't  
Pro Tempore)

**AYES 6**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

**Bill No. 3377**

Report of the Committee on Parks and Recreation for June 17, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

**Bill No. 3293**

Resolution entitled, "Resolution

providing for the letting of a contract or contracts or the use of existing contracts in connection with the construction of Volunteer's Field; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3294

Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering, or other professional services in connection with the design of the Westwood Swimming Pool and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. Woods  
Mr. Stone  
(Pres't  
Pro Tempore)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 3378

Report of the Committee on Lands and Buildings for June 17, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3271

Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City of Pittsburgh, to lease to C.C.P. Enterprises, a certain portion of the 'Bell Farm' property situate in the 28th Ward, bounded by Federal Street, Bell's Run Road, Turner Road, and the Right of Way of the Pittsburgh, Cincinnati, Chicago and St. Louis Railroad, for light industrial purposes, for a term of ten (10) year period, upon terms and conditions approved by the City Solicitor, for a total rental for the initial term of \$18,000.00, payable in equal monthly installments of \$150.00."

Which was read.

Also,

Bill No. 3272

Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, together with crossarms, cables and wires and other necessary appurtenances on City property fronting on Paulson Avenue, 12th Ward."

Which was read.

Also,

Bill No. 3273

Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) anchor on City property fronting on Bedford Avenue, 5th Ward."

Which was read.

Also,

Bill No. 3274

Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with Allegheny Regional Branch Carnegie Library/Pittsburgh Public Theatre for the removal of Architectural Barriers to improve physical accessibility for the elderly and physically handicapped and providing for the payment thereof."

Which was read.

Also,

Bill No. 3275

Resolution entitled, "Resolution providing for the acquisition from Penn Central Corporation of certain property located in the 31st Ward, City of Pittsburgh, for the development of a tot lot and providing for the cost of the payment thereof."

Which was read.

Also,

Bill No. 3276

Resolution entitled, "Resolution providing for the acquisition by the City of Pittsburgh from the School District of Pittsburgh of the Wightman School Building property, Solway Street, 14th Ward, and for the conveyance thereof to

the Squirrel Hill Urban Coalition for purposes of a community service facility."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mrs. Masloff  
Mr. Woods  
Mr. Stone  
(Pres't  
Pro Tempore)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**The Chair:**

Mr. Flaherty has a resolution to present.

**Michelle Madoff:**

I thought you said this was the time after the bills to ask the questions.

**The Chair:**

We'll get to it.

**Michelle Madoff:**

Do you want to wait until after the resolutions?

**The Chair:**

These people thought of these things before, so let's get to them first.

**Mr. Flaherty presented**

No. 3379 WHEREAS, there is a growing understanding of the hazards of asbestos to workers in industries as well as to the general public; and

WHEREAS, there are over 3,000 common uses of asbestos and asbestos has been determined by the federal government and the scientific/medical community to be a cause of cancer even when people are exposed for a brief period of time; and

WHEREAS, the federal government has issued laws and regulations to protect people from asbestos exposure as workers, consumers, and as citizens under such agencies as OSHA, EPA, FDA, Consumer Product Safety Commission, NIOSH, and the National Cancer Institute; and

WHEREAS, OSHA federal regulations would require that protective measures be adopted wherever asbestos has been found in an occupational setting so as to protect the health of the individuals who would otherwise be affected by the dangers of the adverse health conditions; and

WHEREAS, education has provided the impetus for the resolution of this critical problem and people need to be fully informed and educated as to the presence and hazards of asbestos; and

WHEREAS, the newly created Western Pennsylvania Committee for

worker Health and Safety (WPCWHS) has recently conducted an ASBESTOS ALERT conference attracting over 200 unionists, health professionals and community residents; and

WHEREAS, the Committee is comprised of representatives from such unions and community groups as the Teamster Local 249; Service Employees Union Local 585; United Electrical, Radio and Machine Workers Union Local 610; District 1199P Hospital and Health Care Employees Union; Asbestos Workers Local 2; Philip Murray Institute for Labor Education; Coalition of Labor Union Women, SW Pennsylvania Building and Trades Council; American Federation of Government Employees Local 644; and the Community Health Advocacy Network have committed their volunteer time and energy to continue the education efforts of the ASBESTOS ALERT CAMPAIGN.

**NOW, THEREFORE**

BE IT RESOLVED that the Council of the City of Pittsburgh endorse the continued efforts of the WPCWHS to educate the public on the hazards of asbestos; and

BE IT FURTHER RESOLVED that Council encourage the City Administration and the Department of Lands and Buildings to work cooperatively with the WPCWHS in surveying public buildings for the presence of asbestos in order to develop a plan for corrective action.

Which was read.

**Mr. Flaherty** moved for approval.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I think that the resolution certainly, with my many years in the environmental field, and with being exposed to physicians who have dealt with this in class action suits that have been won, based on asbestos cancer carcinogens. I think it is a great bill, but I would like to know; it is one thing to have rhetoric and say, "Gee, this is great, let's do it" -- I would like to see it fleshed out more, and I would like to see some really constructive input as to what you want us to do, because we should do whatever you need done.

**Mr. Givens presented**

No. 3380 WHEREAS, in keeping with the United Nations' General Assembly Proclamation that 1981 shall be designated as "International Year of Disabled Persons", various government bodies plan to issue proclamations designating the week of June 28, 1981 through July 4, 1981, as "Disabled Veterans Week"; and

WHEREAS, this Council wishes to join forces in this effort to recognize the sacrifice and contribution these disabled veterans have given to our Nation; and

WHEREAS, the purpose of this week is to focus public attention on the needs and resources of disabled veterans and help them to find ways to increase their involvement in all aspects of community life.

**NOW, THEREFORE,**

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh, hereby designate the week of June 28, 1981 through July 4, 1981, as "Disabled Veterans Week" in the City of Pittsburgh, in order that we

may take the time to recognize and honor the grave sacrifice these people have made in the service of our country and that we can encourage society to give disabled veterans a chance to develop their skills and self esteem which is a valuable human resource that can help our nation to grow and prosper economically, socially, and spiritually.

Which was read.

**Mr. Givens** moved for adoption.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

Mr. President, I wonder if the Council can recess for 15 minutes, I have some questions and I would like to talk with some of my fellow Councilmembers on this particular resolution and its implication and what it means, if it comes on to the floor, so could I have the 15 minute recess? If I don't have it now I'm going to have it before something else comes up.

**The Chair:**

Well, you might, but I don't know that we can hold off on this thing now.

**Mr. Givens:**

Well, we've got 15 minutes, that's all I'm asking for.

**The Chair:**

Which resolution are you talking about?

**Michelle Madoff:**

My resolution.

**Mr. Givens:**

Her resolution.

**Michelle Madoff:**

The one he is referring to.

**The Chair:**

Michelle, hold on. Just tell me which one you are talking about.

**Mr. Givens:**

The one that gets down to the budget items. They are not numbered, at least mine is not numbered.

**The Chair:**

The long one or the short one.

**Mr. Givens:**

In reference to the City budget and the bonding issue, etcetera.

**Michelle Madoff:**

May I make a suggestion, Mr. Givens, that we get the first one out of the way, which is something we already — it was the intent of Council but was never made official.

**The Chair:**

On that short one Michelle, I think you just ought to call for a post agenda item.

**Michelle Madoff:**

We did.

**The Chair:**

Then why do we need the resolution?

**Michelle Madoff:**

I'll explain it to you, you asked me, I'll tell you why. Ask Mike Perry if he wrote the letter. Mike did not do it, I believe he felt he needed a resolution of Council, that is why I introduced this one.

**Mr. Perry:**

No, I said I had to check with Mr. DePasquale on this and he is out of town.

**Michelle Madoff:**

Well, I figured if we passed it as a resolution, then certainly, he did indicate that we would do it, but then it would make it easier for you to follow through.

**The Chair:**

Mike, if she wants a post agenda item on it, call them in, let's see what they have to say. I don't see that as a problem.

**Mr. Perry:**

Do you want a post agenda?

**The Chair:**

But going through all the resolutions —

**Michelle Madoff:**

Well I just figured I would make it easier since Mr. Perry felt that he had to discuss it with Mr. DePasquale, which I understand, but Mr. DePasquale already gave his approval.

**The Chair:**

Let me advise you at this point.

**Michelle Madoff:**



But it was not a matter of record. By introducing the resolution it becomes a matter of record. That is the intent of this Council, then Mr. Perry feels free to go ahead and do his job. That was the only purpose of introducing this resolution.

**The Chair:**

Let me make a suggestion and you can determine how you want to handle it. I would suggest you handle it as a post agenda item.

**Michelle Madoff:**

That's what we did.

**The Chair:**

Now wait, I'm going to telegraph in advance, something for you. If it comes in this form, I, personally, will vote against it.

**Michelle Madoff:**

So what's new?

**Mr. Givens:**

Well, Mr. President, there is a motion on the floor that has not been acted upon one way or another, I so request that that be done.

**The Chair:**

Your motion was what?

**Mr. Givens:**

My motion that we recess for 15 minutes.

**The Chair:**

Allright --

**Michelle Madoff:**

Before we recess --

**The Chair:**

Hold on. I'm ruling you out of order because we are not talking about that bill yet. We are talking about the short one. Okay?

**Michelle Madoff:**

Allright, let's go back to the short bill and get that out of the way, and asked you a question, and what you said was, "Out of order", during Finance and it is a financial matter, but we'll get to it.

**The Chair:**

No, let's stay on your short one.

**Michelle Madoff:**

Allright, on the short bill, I will repeat, since obviously I am not getting through. I agree with you, that it should not be a federal case. That when we moved on it, and it was the intent of this Council unanimously, that we hold a post agenda, and that the President of Council so agreed, and said, "Yes, go ahead and do it", Mr. Perry felt that he had to speak with Mr. DePasquale as President of Council. I therefore thought to myself, if there was a problem, let's make it a resolution, that is exactly what we voted on, that we just get it together and have a meeting.

**The Chair:**

I think that is a repetition of what you just said.

**Michelle Madoff:**

Right.

**The Chair:**

And that's why --

**Michelle Madoff:**

And that's why I'm saying that since you voted for it originally, you think it is a good idea to have a post, I don't see why you'd vote against having it as a resolution to have a post. Its incompatible. Its incongruous, it doesn't make sense.

**The Chair:**

No, not really. I don't think we should be cluttering up the record with needless stuff in resolution form. I'm just giving you the courtesy of a little advance indication of where I'm going.

Okay, do you want to advance this resolution? I'll entertain a motion from you if you do.

**Mr. Perry:**

Do you want to have a post?

**Michelle Madoff:**

I'd be happy with a post if Mr. Perry does not have a problem with having to go back to Mr. --

**The Chair:**

Do I assume, then, you are withdrawing it?

**Michelle Madoff:**

Yes, I'll withdraw that.

**The Chair:**

Allright, that resolution is withdrawn.

**Michelle Madoff:**

But we are having a post agenda inviting the Conference, as the resolution states, you know exactly who we want.

**Mr. Perry:**

No problem.

**The Chair:**

Now, on your second resolution.

**Michelle Madoff:**

No, before we get to that, I asked you a question.

**The Chair:**

No, we'll take your second resolution.

**Michelle Madoff:**

But you can't take my second resolution without an answer to my question because they are tied -- the hipbone is attached to the thighbone.

**The Chair:**

Your question is what?

**Michelle Madoff:**

My question is, are we going to vote on the \$70 Million, your answer was no. The next question is when are we going to vote on it, because no way will I vote until I get the information I requested from department heads, which was supposed to be here today and is not here and needs discussion.

**The Chair:**

Are you asking me a question?

**Michelle Madoff:**

Yes.

**The Chair:**

You will permit me to speak now?

**Michelle Madoff:**

Yes.

**The Chair:**

We never intended to vote on the \$70 Million Bond issue today. We were adjourning meetings, hopefully, to do something by this Thursday at 2:00. I received a call today at 1:50 p.m., and I am going to quote it as best I might, "For technical reasons, the bond issue will not be handled this week".

**Michelle Madoff:**

That means we don't meet Thursday?

**The Chair:**

We do not meet Thursday, correct.

**Michelle Madoff:**

May I continue then, with my resolution?

**The Chair:**

You may continue.

**Mr. Givens:**

Excuse me, we have a Wednesday meeting, also, that was supposed to be adjourned until Thursday too.

**The Chair:**

Yes.

**Mr. Givens:**

What? This Wednesday, then, we cancel that one?

**The Chair:**

Right. Correct. The meeting on Thursday at 2:00 p.m. will not be held.

**Michelle Madoff:**

We will not have any meeting Wednesday?

**The Chair:**

Wednesday we have a meeting.

**Michelle Madoff:**

We have a regular Finance meeting, but the special issue of the bond issue, which was going to be carried over to Thursday will not be —

**The Chair:**

Correct.

**Michelle Madoff:**

Fine. Let me go back to my resolution then. My resolution is not only tied to the bond, but it is tied to the general status of this City, and to the problems that we are confronted with, and I would like the —

**Mr. Givens:**

Mr. President, if I might intervene, you said you had ruled me out of order, but I do not want to discuss this resolution unless we can have a 15 minute recess so I can discuss some ramifications on what is being projected here.

**Michelle Madoff:**

I understand how you are feeling, and if the Chairman will graciously grant us that, I would be very happy to have it. However, if not, I want to go with it.

**The Chair:**

I will not grant it unless this Body asks for it.

**Michelle Madoff:**

He's asked for it.

**Mr. Givens:**

Well, I am asking for it a second time and I feel that --I so move.

**The Chair:**

I have a motion. The motion is that we adjourn this session for 15 minutes.

**Michelle Madoff** seconded the motion.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

**AYES:**

Mr. Flaherty  
Mr. Givens

Michelle Madoff  
Mr. Woods

**NOES:**

Mrs. Masloff  
Mr. Stone  
(Pres't Pro Tempore)

**AYES 4**

**NOES 2**

And a majority of the votes of Council not being in the affirmative, the motion failed.

**The Chair:**

The motion fails for the lack of five votes, we will move on the bill.

**Michelle Madoff:**

Whoa. We'll move on the bill then, he's not giving us time to meet.

Don't you think it is discourteous not to give Councilmembers time to caucus on something important?

**The Chair:**

Michelle, we took a vote on it at the request, the vote did not carry, we will go back --

**Michelle Madoff:**

Well, the vote did carry by majority.

**The Chair:**

We will go back to --

**Michelle Madoff:**

It is the will of the people who are here today, that we have some time to discuss it.

**The Chair:**

We will go back to your resolution.

**Michelle Madoff:**

Well, I'm going to take my resolution, because if we don't Mr.

Givens, out of rudeness, he will just close the meeting and I'll never get a chance to discuss it.

**The Chair:**

You're right. If I don't soon get your motion, I'm going to rule you out of order and we'll continue on.

**Michelle Madoff:**

So what's new? I think the resolution is very important Mr. Perry, and I would like it read in its entirety. From word one.

**Michelle Madoff presented**

No. 3381 WHEREAS, the City's budget has at no time in history been in a more precarious light due to promised jeopardy through severe federal subsidy cuts, state funding cutbacks, decreases in revenues from real estate taxation and other traditional sources of funding; and

WHEREAS, the financial position of the City in money markets has been downgraded by the New York City rating agencies through a lowering of the bond rating making it much more costly for the City to finance capital projects; and

WHEREAS, the downgrading has an effect, not only upon the City's finances, but also the County of Allegheny's ability to borrow monies despite any lack of control of the county over City financing or budgetary practices; and

WHEREAS, such a lowering of the bond rating is in large part a direct result of the continued unfunded pension plan and a past lack of fiscal oversight and planning with a continued heavy reliance on bond indebtedness with some question of actual needs at unprecedented rates; and

WHEREAS, present unacceptable levels of crime, deterioration of the streets, water and sewer systems, bridges and other pressing conditions will not allow for any further cutbacks in City services; and

WHEREAS, the Allegheny Conference on Community Development has publicly stated that if the deteriorating infrastructure of the City which affects us all is not remedied, Renaissance II could ultimately be lost as well; and

WHEREAS, all of the aforesaid conditions require prudent fiscal management and budgetary oversight of each and every City department, service and individual employee with justification for each job description and a rating of the efficiency of performance of those filling such job descriptions. In view of the magnitude of the services required, the City cannot possibly contemplate cutbacks in employees in order to maintain present levels of service. All employees must perform at maximum efficiency so that additional employees need not be hired and with attrition this would keep the budget from expanding.

NOW, THEREFORE,

BE IT RESOLVED, that the City Council of the City of Pittsburgh advise and requests the Mayor to adopt "zero-based" budgeting for 1982 for all City departments and to hire independent efficiency experts to conduct a total efficiency review of all departments programs, job descriptions and performances review all in accordance with the sound and commonly accepted principals of "zero-based" budgeting.

Which was read.

**Michelle Madoff** moved for adoption.

**Mr. Flaherty** seconded the motion.

**The Chair:**

Discussion, if I may -- do you have any discussion Michelle?

**Michelle Madoff:**

Yes, I have some discussion, I have a lot of discussion. I want to be very specific, when I talk about "zero-based" budgeting and review by independent outside consultants, I don't want to see COMPEP do it, I don't want to see people involved with the City, with the Allegheny Conference, from the viewpoint that there is a conflict when you have to do business with the City, if your corporation is doing business. We cannot cut back on the number of people, the faucet has been shut off, the tap has been shut off at the federal level; we got the Treasurer to admit, be it unwillingly, that while other cities are far more in debt than we are, Pittsburgh certainly isn't teetering; we certainly are reaching a point where we are, if nothing else, getting to a point of no return on the amount of dollars that we are borrowing, simply because the amount of money that Renaissance II will generate in revenue and additional taxes is only \$4-1/2 Million, next year we are going to have to look for greater dollars for reimbursement of people who had decreases in their real estate estimate taxes, the \$10 Million bond we are going out for this year, we are going to be going out for more bonds every year for capital improvements in addition to the \$70 Million bonds that we have. I don't know where the money is going to come from to pay it back. The Allegheny Conference has stated that the infrastructure could bring the City to its knees, and the kind of thing I want to be specific about is for example, we can no longer have -- and I am repeating myself, I've said it many times in the past, we

can no longer have government by bureaucracy and by ribbon cutting, we've got to have it by innovation and the way you do that, is for example, this Council should not have to have come up with the concept of burglar alarm penalties which could release 10 policemen -- 10 policemen, meaning \$200,000 for this City, because it is \$20,000.00 for a policeman.

Light years ago, perhaps long before I got here, the concept of having paramedics charged for non-city residents, and third-party payees should have come up before I got here and before it was brought up. That's what I mean by innovation. Today I learned from Rege Valaw, who I met with very briefly, that we have, just sitting, because we don't have a typist who has some ability in detail, for eight months, we have something like \$250,000 in sales, ready to go, which will generate a minimum he tells me, factor of three, of \$600,000 to which the City would be entitled to a minimum of 50%, plus the house-raising cost, the water and the sewage cost, and the reason we haven't received those dollars, is because he doesn't have a typist. He tells me that if he had a clerk and a typist, and if someone went over his department, and if he had some kind of control on the bill that we didn't vote to sustain, or we voted -- didn't vote to override on the Mayor's bill, and he is an independent body representing Three Taxing Bodies, and watched what went on with the properties that are taken over by URA, that perhaps, again, we could generate revenue. We've got to look for untapped sources of revenue and more efficiency within government. And what I am suggesting on "zero-based" budgeting is that we do what other cities and other communities and other levels of government are doing and that is job justification, job description, job review; so that we also don't go out on

demolition contracts, in the upper left hand corner and I finally got Mr. Brophy to agree with me that I had a point, we did that in Council here two weeks ago. We go out and say, "Not to exceed \$70 Million" and the bids come in at sixty-eight, sixty-nine and sixty-six; and we award it at \$66,000 and we find out someone will do it for \$19,800 in the scrap. Somebody is going to have to take a hard, cold look at how we run this City and we need some kind of fiscal advisor working with the Mayor and it has to be some independent consultants and we need to go back to "zero-based" budgeting and I can't imagine, and I know you are going to vote against it, but I can't imagine that a fiscal officer, fiscal chairman of this City, that you haven't done it before.

I would also like to point out, that while we are not going to be voting on the bond issue today, we are holding it, I presume, until next week; we ought to very seriously think, I have asked — as you know, I have a copy to all members of Council, of the questions that I had asked of all department heads. The questions were, and I asked them to sign, and I will be monitoring, I am sure all the members of Council will as well, what the earliest date will be that the projects can be undertaken. I fully believe that we don't need that \$70 Million. We can go out for a portion of it, when we are at one of the highest rates and we must go back later for the additional monies, because there is no way in God's little acre, that all of those projects are going to be started, borrow the money we need, not go out and borrow the money in its form of arbitrage, which is legal, I might add; go out and generate dollars to bail us out because we don't have enough money to get through this year. Because all we are really doing is borrowing from Paul to pay Peter, debt has to be repaid. We've got to pay the piper, it is a political sham. If this becomes the —

the City will just become a money junkie, like a heroin addict. When we take money that we borrow for capital and invest it for expenditures before we need them, so that we can fund the City and bail us out, the budget is in big trouble. I repeat, we are only going to get \$4-1/2 Million from Renaissance and we still have the money that we are going to have to need to reimburse more than the \$10 Million for people who are going to be coming forward with additional cuts. Bond financing is specifically for capital projects, structures of equipment, which has a long, useful life — in no way should bond monies be co-mingled with operating budget monies, or be used to pay salaries. This is simply impermissible and something which the rating agencies frown upon. Which is probably why we went down in our bond rating. At a time of unprecedented interest rates, going into the bond market simply for a earnings grab, it is unwise and unwarranted. Moreover, it becomes a tremendous cost to the taxpayers while simply providing an apparent quick-fix for the City. Bonds should not be floated simply for the proceeds to lie around. It would be different if the monies were immediately going to be put into capital projects. Now, I presume, from what the two department heads have said in their response, they stated they cannot even go out for bid unless the money is already appropriated, and that they assume that they are really going to need that \$70 Million. I would have no objections in voting for that \$70 Million today — right now — if I knew there was going to be some fiscal responsibility to do something about making the City more efficient.

#### **The Chair:**

For your information, that is an accurate statement, we need the money, we are overdue on the money.

**Michelle Madoff:**

Well, as I stated before, how we got ill isn't the answer, it is a matter of what is the best medicine and remedy, and if indeed, and I have asked the department heads to supply me with information, they are saying yes, they need it. I believe, and I would be willing to make anybody here a \$100 bet, right now, that as time goes on, before some of these projects really go out to be started, we could have waited until the 1st of January to go out on some of that bond money. I will go along with it, providing we tie in with the concept of becoming more efficient and trying to find other sources of revenue and not always turning to a bond issue, because is it not true that we will invest that money and that money will go into the General Fund and that the General Fund will be used to bail out the operating cost because we don't have money to get through the end of this year? I mean that is a fact of life, that is a reality. We've got to stop it and we've got to be more fiscally responsible. My bill is to go to "zero-based" budgeting. I've just discussed why I feel that way, I have a second on it, I don't think it matters, we put it to a vote today, or we put it to a vote again, I don't know what our Parliamentarian —

**The Chair:**

Finish your comments.

**Michelle Madoff:**

Mr. Parliamentarian, I can also introduce an ordinance at another time which would not effect my resolution, would it? If I want to do it as an ordinance at a later date, it would not effect my resolution, would it?

**Parliamentarian:**

No it will not.

**Michelle Madoff:**

It won't matter because I know where it is going to go. I stay with my resolution, I have a second and I call for the vote.

**The Chair:**

Allright, if I may respond, I would like my remarks from last Wednesday brought forward, that is the closing remarks, not the whole deal Mike, but just in synopsis if I may.

**MR. STONE'S CLOSING REMARKS ON BILL NO. 3336, FROM THE MEETING OF WEDNESDAY, JUNE 17, 1981:**

**Mr. Stone:**

Now, if I may, just a comment because some things just can't be left unsaid. First of all, we are not buying bonds, we are issuing bonds. Second of all, relative to the pension fund; as Finance Chairman, I have been attempting for two years to try to address this subject, that roughly \$1 Million for fire and \$1 Million for police for the last two years; whereby, instead of funding as we did under the Flaherty Administration, only the difference between what we get from foreign casualty and what the City of Pittsburgh is obligated to pay, we have been attempting to have the City of Pittsburgh fund totally in that year, the pension portion of it, which would free-up all of the foreign casualty monies that come in, and give us roughly \$1 Million in each of those funds towards addressing the overall fund.

In addition, working with Mr. Schmeiser, there is another attempt to try to take care of those who are coming in so that we lessen the burden and stop



it from increasing.

Relative to -- do we have to borrow? If we didn't have to borrow, I would be the first one to tell you we don't have to borrow. The problems are, however, these: we had projects that sit there and as I said last Monday, when you don't understand the total picture, you can't totally solve it real easy. You can't sit there on a project and expect that the damn price is going to go down. If interest rates are going up, they are going up because there is a correlation between interest rates going up and cost of projects going up and somewhere you have to catch it before the gap goes too far. Inflation has been eating at every one of these projects and that's why you have cost overruns anywhere from, as I indicated many, many times, 12 to 20 percent and in the meantime you are being denied the ability to use a project which has already been determined and is necessary in a particular area.

In addition to that, I don't think anyone has ever said that this City was in bad shape, I think those who are being fiscally responsible have indicated that in these next couple of years we must watch. Renaissance II will produce for us in roughly three years, in three buildings alone, \$5 Million in taxation. Now that was a decision we made on the tax abatements; we hope that that was an inducement and I think it will be. I think other things that will be coming here within the next couple of years need to be watched. I don't see that there are any fiscal difficulties and I would not like to pull the drapes down on the City of Pittsburgh's future, when as I see it, it probably has the brightest future of any city in the northeast.

**END - MR. STONE'S COMMENTS,**  
6/17/81.

We have indicated we are into a

complicated problem in the City of Pittsburgh and no one was more aware of that in the last five years as I have been. Now, I see as the panacea to it all without understanding the problem, or at least understanding its something we don't understand, we have now the solution to it and that is to jump to zero budgeting without finding out whether zero budgeting would fit this city or not.

It seems to me, that would be the worst thing we could do. To make any moves at this time before you know where you are going, and being fiscally sound and conservative and fiscally managable and prudent, it would appear to me that we ought to find out where we are and take stock before we start jumping off a high diving board and then when we are starting our descent, we find out there is no water in the pool. I have no other remarks than that --

**Michelle Madoff:**

I would like to respond to that.

**Mr. Stone:**

Let me finish. I have one other comment, at the expense of being redundant, but nevertheless, hopeful that somewhere it will get through, I have said, time and time again, that 1981 is a different year than it has been for the last couple of years, and relative to that particular subject, we are now at the end of the available monies we need, all projects would stop without the funds, all contracts have to be funded before we can proceed. Any delay of bonding in this particular situation is one that is going to cost the City more in delay costs than it would be to pay in higher interest costs. This is not something like, this is not something I would design if I were designing it initially. It is something that I find myself in, and if I were looking for glorification for my own

program, I might be taking a different stand. I am trying, somewhere along the line, in view of all of the circumstances over the past five years, and where we are, to get some soundness at this particular time, under all of the constraints and all of the problems that exist today, and that is the position, and once you stay in context, then I hope it is better able to understand it.

**Michelle Madoff:**

I'd like to respond to that. May I?

**The Chair:**

If you let me finish. You are right in one thing. I will vote against this resolution.

**Michelle Madoff:**

Okay, you gave every reason why we should go to "zero-based" budgeting better than I ever could. That for five years we've been in a mess, you've seen it coming, if we'd had gone to "zero-based" budgeting, maybe we would have known what was going to happen. It is not a descending parachute, it is true, I'm co-mixing the two items, the bond issue and I'm saying I'm tying it to a resolution so that we don't get into further debt in the future. How anybody who is a fiscally responsible person, knowing that other cities, other states, our state, county government and other places all over the country, go to "zero-based" budgeting, instead of sitting here at budget time and saying, "Mr. Lurcott, do you need these four jobs? Are you going to fill them? Good, fine, when are you going to fill them?" Not knowing whether you have job descriptions, not knowing what those people do, not knowing if we need them. You have repeatedly stated that you were unhappy with what's happening and yet you don't want to do anything to remedy it. Its

like saying the only cure is penecillin, but I'm going to show you and not take it because its your bill. You did the same thing when I had the head of the Blue Cross here to say, can we go to third payee people on --

**The Chair:**

Will you stay with this bill?

**Michelle Madoff:**

I'm with the bill. When I asked the gentlemen, McGrady, from Blue Cross and Blue Shield, whether we could charge third-party payees for paramedics and he said, "Well, there are very few people", and blah, blah, blah, and you voted against it. But when it is re-introduced by O'Malley and yourself, you voted for it, cheating the people out of revenue for two years. I think you are a disgrace as a fiscal officer, I know you are going to vote against it, but my job is not to get the votes, but to let the public know what you are doing.

**The Chair:**

Michelle, the only problem with you is that you didn't understand --

**Michelle Madoff:**

I understand better than you did. I spent all weekend with fiscal people who understand bonding issues, better than you do sir.

**The Chair:**

You don't even know the page that Water is on, your own department and you are going to tell the City how to manage its budget.

**Michelle Madoff:**

Sweetie, you want to talk water

with me, any day of the week and you don't know what you're talking about.

**The Chair:**

You voted for \$187 Million of appropriations and didn't vote for any tax bills. I can but quote Councilman Coyne, "That is fiscally irresponsible". I now call for the vote.

**Michelle Madoff:**

Sir, Councilman Coyne was running for Mayor it was responsible, when he switched horses it was irresponsible. That's a game that is called politics.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Flaherty  
Michelle Madoff

NOES:

Mrs. Masloff  
Mr. Woods  
Mr. Stone  
(Pres't Pro Tempore)

AYES 2                      NOES 3

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**Mrs. Masloff** moved to excuse Mr. DePasquale, Mr. O'Malley and Mr. Robinson for absence from this meeting.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Woods**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JUNE 29, 1981

No.

### Municipal Record

#### 'ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, PA  
Monday, June 29, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 3382 Resolution providing for the issuance of a warrant in favor of ThermoFlo Equipment Co., in an amount not to exceed \$827.15 in payment for

emergency repairs furnished for the benefit of the City in connection with the water system at the Aviary and providing for the payment thereof.

Also,

No. 3383 Resolution providing for the issuance of a warrant in favor of R. Construction Company in the amount of \$6,200.00 and A. R. Scalise, Inc., in the amount of \$450.00 totalling in the aggregate \$6,650.00 in payment for extra work performed for the benefit of the City in connection with the construction of No. 22 Fire Station, Arlington Avenue and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 3384 Resolution providing for the acquisition from Consolidated Real Estate Corporation of certain property located in the 12th Ward, City of Pittsburgh, for the development of an Asphalt Plant and providing for the cost of the payment thereof.

Also,

No. 3385 Resolution repealing Item (J) of Resolution No. 355, approved 4/25/80, for the sale of 2 lots on Sherman Avenue, 22nd Ward, designated as B & L 23-K-212-215, to Anthony G. & Mary J. Poli, his wife, for the sum of \$2,000.00. Property was assigned to Oliver Kaufman 6-11-80. Resolution is to cancel sale and forfeit hand money. Also,

No. 3386 Resolution amending Item (C) of Resolution No. 455, approved 5/8/81, for sale of vacant land, 15th Ward on Forrester Street, designated as B & L 55-A-264-265 to Michael C. and Lawrence V. DiNardo for the sum of \$700.00. Amendment is to correct discription of Lot #55-A-265.

Also,

No. 3387 Resclution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 787 of 1937, as amended.

Also,

No. 3388 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at a tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 3389 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

No. 3390 Resolution authorizing and directing the Mayor and the Director of the Department of Water to enter into an Agreement/s with the Western Pennsylvania Water Company for the flushing out of contaminated water lines in the Beechview area of the City. These lines, serviced by West Penn Water Company, are used by residents of the City of Pittsburgh.

Which was read and referred to the Committee on Water.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

#### **Mr. Givens:**

Mr. President, in regard to this bill, it is very legally confusing. I have been talking to the Law Department since Friday on it and I would like, if they would receive the bill, and come back with an opinion by this Wednesday — it is a very short time fuse for them, as to how we can do this, if this is not the appropriate way of doing it. The purpose is there. The purpose is that the people up in Beechview, some 2000 users in this particular area, have been going on for a period of almost some six months and the bottom line is that the people are not flushing out their systems. They are not flushing out their systems and the only way; and this meeting that was conducted by the Health Department of Allegheny County, by State Inspector, environmental people, by our own people, which I was in attendance, they felt that the only way these people might do it, to get this contaminent out of their water up there, is that if all people will flush and that means that they don't pay any water bill whatsoever. The cost is not that great, somewhere — they indicate for a whole quarter, for three months usage on these 2000 users, it is somewhere between \$30,000 and \$60,000 and they have tried everything they can to get the people to do it, they just won't do it. It has to be a concerted effort, they are going to have

this concerted effort by the citizens, the Health Department and other agencies, to once and for all try to get these people back to where they can drink their water up there and drink it safely.

**Michelle Madoff:**

Mr. President, as you know, some time in June I made some comments about having water tested in the area and asked that my comments be carried forward into the minutes of the Monday meeting. Mr. Stone agreed with me at that point and said I had a point, it was time the people had some — their water was treated, and unfortunately, his comments were not carried forward as well, I think it would add more credence to the final minutes. However, there is a gentleman in our audience today, a Mr. William Gooding, who is the Beechview Citizens Group for Safe Water Chairman, and we just had a very brief meeting, as you know the point that I made, if you go back to your minutes that came today, on the June 16th minutes, on page 622, where I talk about it being time we did something to test the water, particularly homes that appeared in the article where the water is still greasy, and out of the 300 some odd homes, only 33 were tested. It seems to be the feeling of the citizens group that there needs to be a lot more testing done, as a matter of fact, I'm not going to take the time now, I thought we were going to handle this as a post agenda item, but they have some specific recommendations, but what it boils down to is that there are 25 blocks that have had no random sampling, where there may be 100 houses; the sampling, they feel, is insufficient. They don't believe that the answer is flushing, that only in one or two or three instances the answer would be to flush out the lines. I spoke to Mr. Richard Cosentino and he said to look at the water bills and where they had the worst taste he said there was no appreciable increase in water

rates, indicating that indeed, they had not flushed. This may or may not be the case, but according to the people who should know the best and know the most and be closest to it, the Beechview Citizens Group, they feel that we are fudging on statistics, we are fudging on sampling, we are fudging on, really, the safety and health of that community.

As you know, there was a big battle about a report that came out that they wouldn't give out names and it was for eyes only, only certain people were allowed to see the report and it was kept very private. I think as head of the Water Department for Council, I certainly should have access to it and I now have it. It gets back again to what Mr. Stone and I discussed and that is that we've got to have some samples done at random. I will personally, if necessary, go out and get the sterile bottles from CMIR — we have Shuckrow and Touhill, they are the consultants for the City, they could take them, unbeknowns to anybody at the tap, just show up at the right places and take them, split the samples into three samples, send them off to government agencies, our own lab and to a independent source, either out of the City or CMIR; my problem with CMIR is that the last time they did a study for us, when we had that terrible problem on the East End, they didn't know how the bottles contaminated from one bottle to the other in the refrigerator, and when they told us what was the toxic chemical, and I said, "What does that mean?" and they said, "Look in your Merick Journal", well, I just happened to know what a Merick Journal was, having been married to a doctor. Most people would not know what a Merick Journal is. I want them to tell us what the chemicals are, and what you do about it. It seems that the whole planning is inadequate, I don't think that the answer is just to flush the line, I think we can certainly submit that for

next Wednesday, but I don't think we can wait on the sampling.

Now, Mr. Stone, as Finance Chairman, do you have any suggestions on how we can go out and get that sampling done right now?

**The Chair:**

We have a contrast here, apparently, Mr. Givens, who's opinion was it that the flushing should be done, or was a must?

**Mr. Givens:**

Well, these are the State Environmental people, other state agencies, our own Allegheny County Health Department, our own Director of Water, at this particular meeting, that the evidence was, for the first time, that I know of, has been reported to our Allegheny County Health Department. They are not totally sure that flushing is the entity, the thing is that they know what the contaminants were to start with, they know what contaminants are left right now, there are traces of it now within the water system itself, and they feel, this is their opinion, they feel that flushing is the cheapest way out right now, rather than replacing all of the service lines from Point A to Point B, including your faucet, and, you know, what would that do then to any neighborhood, if you would tear up every water line and go into the plumbing in each house? The cost, number one, would be astronomical, number two, they feel flushing is the answer and I think they should have a reasonable shot at this. It is evidence that they had presented at the Friday meeting, that so indicated that the people were not flushing. For example, about 25,000 gallons is what the average home was using up there, within a three month period of time. It is evident right now

that they were using about 23,000 gallons after they found the effects. But the last quarter, samples that they had made, the people were only using 18,000 gallons. So, it is common sense and reason, that if you want to get something out of a particular line, that this is the best way to do it. This is a hard chemical to break down, it is one that has a long lifetime, and, at that particular meeting also, Mr. President, they had asked them and I was to relay the message to you and to Jim O'Malley here, that they want the cooperation of ALCOSAN on this to exonerate them from the sewage bill at this particular time, while they are doing this flushing. It has to be, you know, almost like a military-type adventure to go in there, even and odd numbers and the house, and every house has to be hit at a particular time so they get maximum amount of volume through the lines at one time. Everyone can't turn their water on at one time. See, before they were so elusive, you know, "Flush your system", but they didn't tell the people when to flush it. It has to be flushed in a very systematic manner in order to get the maximum effect, otherwise, that whole street must be flushed, one must start at the top of the hill, so to speak, and work its way on down, and if they don't do it this way they are not going to get the maximum effect.

I have to appreciate the people from the Beechview Citizens Group, they were to be appraised of this, I know they feel in their own hearts that not everything has been done for them up there. This particular legislation is to show them that this Council is interested in doing whatever they want. If they come up with another recommendation, fine, but I would think that this one would have to be ruled out first. That flushing does not do it before they can go to Step D. I so indicated at that particular meeting, that West Penn



Water, which we subsidize, and all of the people up there, in their water bills, that they have put out of their pockets, so far, about a half-a-million dollars, so its not that they are not doing anything.

**The Chair:**

Dick, I think you can assure them, and I think you can speak for Mr. O'Malley, in fact, I think I ought to ask him to make the motion at the next ALCOSAN meeting, that if flushing is the way and they will cooperate, that we will dispense of that bill for the amount of flushing for that month or two months.

**Mr. Givens:**

But they have renters up there, they have older people —

**The Chair:**

I mean we will cooperate to that extent.

**Mr. Givens:**

The message, you know, even though its been spread, you would have thought, there are still people that have not, either received the message, or don't feel that they need to flush their lines and they must. If you don't flush your line and 10 of us do, then you are the line that is going to be continuing to backflow and contaminate the system.

**The Chair:**

I think they've got a point to do it, and if that isn't it, then something else, but if that is the answer, then I think they will cooperate.

**Michelle Madoff:**

Mr. President, in past meetings, it

is unusual to interrupt meetings to hear from someone, but when we have had some dignitaries or some important issue that you, or Mr. Stone, or somebody Chairing a meeting wanted to hear from, we have waived the regular rule of Council. There is a gentleman here right now, he has taken time to come over, he ran over from his office, to talk to us, if we could give him five minutes, maybe we could hear from him as to what he needs as opposed to our sitting here and guessing at it. It appears that what we want to do, "we" meaning the government agencies, is to do it cheaply, ala Reagan, and the devil care about what the carcinogens are and the health factors. I want to go to sleep at night and feel that that water has been tested properly in the houses that have the greasiest water, and if we would give this gentleman five minutes, I think maybe we could find out from them. They don't feel flushing is the answer.

**The Chair:**

Well, I would appreciate it if the gentleman would come to the post agenda because you're saying five minutes and if we start questions and answers, its going to take an hour, an hour-and-a-half.

**Michelle Madoff:**

Well, maybe it ought to be on the record.

**The Chair:**

This isn't a problem you can dispose of in five minutes. However, if the rest of Council has no objection and want the gentleman to speak, its allright with me.

**Mr. Givens:**

I'd have no objection to the

gentleman speaking, but could he come to the Wednesday session wherein we'll have the directors and some of the health people here and they can actually decide what they would like to do.

**The Chair:**

Can the gentleman come back on Wednesday? Can you come back Wednesday for the post agenda?

**Mr. Gooding:**

Yes.

**The Chair:**

Okay. In the meantime, if you have a report made up, the Clerk can have copies made and give one to each Councilperson.

**Mr. O'Malley:**

I'd just like to add the point that ALCOSAN, Dick, already exonerated all the bills.

**The Chair:**

Yes, but that was the past bill, for the amount that they were billed for that they actually didn't use. He's talking about the flushing now, which is going to be extra.

**Mr. O'Malley:**

We'll be glad to do it again in cooperation —

**Mr. Givens:**

Yes, the point is they are not doing it and one of the feelings of this group that met Friday was that if the people would not have to pay for any of their water during this particular time — the West Penn Water was more than

happy to pay anything over and above what their bills were, say, one year ago at this particular time. In fact they encouraged them, even in the past, they have encouraged them to do any amount of flushing that they wanted and they would only pay, actually, what they had paid last year at this same time. That is still the same situation. What I am asking in this legislation, possibly, I think there is some legal hurdles to cover, but primarily, is for the City of Pittsburgh to underwrite their water expenses that they incurred last year at this same time, for however many weeks it takes. At any rate, the Water Department so indicated — West Penn Water Department, so indicated there would be no more bottom figure of \$30,000 and top figure of \$60,000. If this in fact, then would cure the neighborhood of the last residues of the chloridin, then I would be more than happy and I'm sure all of Council would be, to do that for them; whether we even can.

**Mr. Stone:**

Mr. President, if I may, that exchange that Michelle was talking about earlier, was with Director Cosentino, and it is my understanding that we at Council, I guess it is two weeks ago, had indicated to him that whether or not that is his problem, and its Western Pennsylvania with them or the Health Department with them, we felt that the additional testing should be done to resolve it. This legislation that Mr. Givens is giving, I think has some dangerous precedent with it in the way it is done, and I question the legality of it. The intent I don't question, and that is in line with what we have been talking about all along, but if this water is contaminated, it would appear to me that Western Pennsylvania Water owes them an exoneration. If they are not giving them a product for which they are being paid to produce, then the people

shouldn't have to pay for it.

Now, I think before we do any flushing, or whether we do any other kind of remedial action, the first thing we ought to do is to identify through those people and mainly, presently, through our Director of Water as to what the problem is and what the way of cleaning it out is, that is necessary. It is my understanding he has gotten closer to that, it is a question of taste, as some people would like to say, I don't agree with that. I think the Beechview people are entitled to clean water as well as any other City resident, but I think we ought to make sure that the Director of Water is aware of the legislation, he is here on Wednesday with that report that he said he would tend to and whoever else he needs, let's resolve it once and for all for them.

**Michelle Madoff:**

Mr. President, unfortunately, I have spoken to the Department that I work in and I have been told by the Director that they are not going to do the sampling, that it is merely a matter of flushing. Now, we've taken at least 10 minutes now, we could have heard from Mr. Gooding, they do not feel it is a flushing problem. That that is only in very small instances, the problem. Now I don't think we can —

**Mr. Stone:**

Yes, but you are answering my point.

**Michelle Madoff:**

No, I agree with you, I think what you said is —

**Mr. Stone:**

Instead of us; one saying it is

flushing, one saying it is that —

**Michelle Madoff:**

Right, I agree with you.

**Mr. Stone:**

Let's once and for all get somebody that knows what the heck they are doing and tell us what has to be done and let's get it done.

**Michelle Madoff:**

I asked the Director whether he would do the sampling, that you and I and the rest of Council agreed to and the answer was an obvious no because it was flushing. We didn't have to do the sampling, and I'm saying if we wait until Wednesday until the post and then we start all over again. I think that this Council has already said we want sampling, then let's go ahead and sample.

**Mr. Stone:**

Michelle, I don't know that that's — I think what you ought to do here now is, let's get everybody to a head here. The head of the Water Department, the Health Department, and Western Pennsylvania Water, let them join here to tell us on Wednesday, once and for all, and at that point, let's point somebody in the direction to solve the issue.

**Michelle Madoff:**

Allright, Mr. Gooding will be here, and he will give us, hopefully, a list of some people that have the worst contamination and check to see if they have indeed done any flushing and we will really deal with it at that point and we will have —

**Mr. Stone:**

You know, if at that time they are

not prepared to give us an answer then maybe it is time to bring in an independent consultant, but I think we ought to first deal with all of those sources here that tell us where we are going. I'm not so sure that we can replace them as experts.

**Mr. Givens:**

Councilman Stone, that was one of the points that was brought out by Dr. Richards, our Allegheny County Health Department, was to extend — he wants concrete information that what is happening, that what is happening out there can be documented and proven. They are even going into what type of lines — copper lines, lead lines, plastic lines, how much length — the main line seems to be pretty well cleared out from what samples they have gotten, its into the residents right now. Some of them had so indicated that the length of pipe from the main into the residents' home seems to be possibly a factor involved here, so they are looking at getting the most concrete information possible and for example, if it ends up that those pipes that are, say, lead pipes, are conducting, holding on to this chloridine, or say it is a plastic pipe or a copper pipe, whichever the case might be, then they will be able to know and say, we'll go into these certain homes and have to change the plumbing in these particular homes, if that comes down to it and I think that would probably end up in some type of a lawsuit. Anything that you talk about the people, action taken from the people out there, the residents, to the water company again, that could end up in the courts. As I indicated, West Penn, our Health Department, the State Environmental, they all have lent their expertise into this, they are all very concerned about it, I think it is a concern all of us have had about our open water supply that we have in the City of Pittsburgh, by trying to cover some of

these up, and here, this injection was made at a line along the distribution system, which means that when someone does this, the F.B.I. is looking into it, they are trying to make such an offense of polluting of the water systems, punishable by death. That is one of the avenues that they are taking, and if you look down through history this has been the case, anyone polluting the water, contaminating the water of somebody, even in warfare they don't do it nowadays.

**Michelle Madoff:**

Mr. President, let's just summarize this very quickly, it is a very sad commentary that we are sitting here, June 29th I believe, and we are talking about flushing lines and taking samples, where in blazes were the people who were in charge of that department, when they told us, and the reason I have not been as vocal and as verbal as I normally would be, is that I was given to understand that all these things were being done. I think Mr. Stone expressed his concern last week when he said, "Yes, its time to do" — or two weeks ago, "Its time to do the sampling". We shouldn't even have to be sitting here now saying, "Why haven't the greasiest homes been tested?" The documentation should have been available to Council and certainly to me, I was never brought into it, I was never invited into those meetings and I've been given a lot of double talk, that indeed it was only flushing and now, as Mr. Givens says, having attended the meeting, there are a lot of other problems that need to be resolved and true, Council is now going to address it on Wednesday, but I'll tell you one thing, if I lived in Beechview, I wouldn't drink that water.

**The Chair:**

Well, getting back to what Mr.

Stone says, its about the only way to clear it up, I mean Wednesday is two days off, but at the same time, you know, once and for all, get all the parties here and find out who is involved and why and what they can do to prevent it in the future.

**Michelle Madoff:**

Today is Monday, let's have an emergency meeting on Wednesday, emergency means they all show up.

**Mr. Givens:**

Bob has mentioned so many people, I would ask the Chief Clerk, if he could ask the County Health Director, also the State Environmental people, if you call our Director of Water he will give you a list of all those people that should be here and I think we should hear what they have to say. Along with the citizens.

**Michelle Madoff:**

I'm just wondering if it can be handled at a post or whether we need a hearing. What do you think Mr. President? If people start coming to testify -- but we don't have time, that is the problem. We have a hearing here tomorrow which may be very short. Perhaps we could take both of them tomorrow, make it an emergency hearing.

**The Chair:**

Well, I think it is an important enough issue that all members of Council will remain after the regular agenda, if it takes a couple hours --

**Michelle Madoff:**

Its fine with me, I'll be here.

**The Chair:**

But with a hearing, you're talking about advertisement and what have you, and that is further delay.

Also,

No. 3391 An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601, Public Order, Section 601.11, Littering and Dumping, by specifically including public greenways and by revising the penalties for violation.

Which was read and referred to the Committee on Public Works.

Also,

No. 3392 Resolution providing for the issuance of a warrant in favor of Dominic Nicassio, Inc., in the amount of \$18,162.40 in payment for Extra Work furnished for the benefit of the City in connection with the Storm Sewer Reconstruction on Pringle Street and providing for the payment thereof, payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Also,

No. 3393 Resolution providing for the issuance of a warrant in favor of J. Jac Construction Co., in the amount of \$25,792.00 in payment for "Extra Work" furnished for the benefit of the City in connection with repaving and widening of Fifth Avenue from S. Bouquet to Bellefield Avenue, payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Also,

No. 3394 Resolution providing for the issuance of a warrant in favor of

Atwood & Bates Construction Co., in the amount of \$4,996.96 for "Extra Work" furnished for the benefit of the City in connection with the reconstruction of Forward/Murray & Pocusset Street Intersection; and providing for the payment thereof, payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Also,

No. 3395 Resolution providing for the issuance of a warrant in favor of Golden Triangle Construction Company in the amount of \$18,927.55 in payment for "Additional Work" furnished for the benefit of the City in connection with grading, paving & curbing of Benton Avenue and providing for payment thereof, payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3396 Resolution accepting the dedication of property on the northern side of Craft Avenue, between the Boulevard of the Allies and Forbes Avenue, for a street widening and public purposes, in the 4th Ward of the City of Pittsburgh.

Also,

No. 3397 Resolution vacating the 15' Unnamed Way between Beelen Street and Fifth Avenue, in the 4th Ward of the City of Pittsburgh.

Also,

No. 3398 Resolution further amending Resolution No. 1430, approved 12/29/80, effective 1/1/81, as amended, entitled, "Adopting the 1981 Capital

Budget and approving the 1981 through 1986 Capital Improvement Program by redefining the funding sources.

Also,

No. 3399 Resolution amending Resolution No. 317, approved 4/18/80, effective 4/25/80, entitled, "Providing for a contract/s for Street Improvements to implement the Lower N. S. Traffic Plan (PW 80-21); and providing for the payment of costs thereof" by increasing the total project allocation by \$200,000.00, payable in amounts indicated from CDPW 80-21 and 81-25.

Also,

No. 3400 Resolution amending Resolution No. 552, approved 6/1/81, entitled, "Providing for the purchase, in settlement of condemnation, of a portion of property located in Lot & Block No. 9-A-162, the south side of Madison Avenue at River Road in the 23rd Ward of the City of Pittsburgh, for \$2,500.00 plus proper closing expenses, and providing for the payment thereof" by amending allocation and redefining the funding sources, to include \$500.00 for closing costs.

Also,

No. 3401 Resolution amending Resolution No. 553, approved 6/1/81, entitled, "Providing for the purchase, in settlement of condemnation, of a portion of property located in Lot & Block #7-F-107, at the intersection of Chateau Street & Ridge Avenue in the 21st Ward of the City of Pittsburgh, for \$1,250.00, plus proper closing expenses and providing for the payment thereof" by amending the allocation and redefining the funding source, by providing \$500.00 for necessary closing costs.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 3402 Resolution amending Resolution No. 433, approved May 1, 1981, entitled, providing for an agreement/s with consultant/s for engineering services, water line installations in Saline Street and Boundary Street, cost not to exceed \$100,000.00, chargeable to and payable from WD 80-12 (4-05-30-1220-80) (4-05-30-1210-80-087-80-05).

Also,

No. 3403 Resolution providing for a contract/s for the purchase of New Pumps and providing for Rehabilitation of Existing Pumps in Various Pumping Stations, at a cost not to exceed \$75,000.00, chargeable to and payable from the 1981 Capital Budget Account WD 81-05 (4-05-06-0100-81).

Which were read and referred to the Committee on Water.

**Mr. O'Malley presented**

No. 3404 Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Conaway Enterprises, Inc., in the amount of \$1,900.00, in payment for extra work in connection with the rehabilitation of Medic Unit 1, completed without previous authority of law, chargeable to and payable from the Emergency Medical Services Non-Resident Emergency Ambulance Service Trust Fund.

Which was read and referred to the Committee on Finance.

**Mr. O'Malley** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill

was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Robinson presented**

No. 3405 Resolution providing for the issuance of Certificate of Appropriateness for work on exterior of 316-18 W. North Avenue, Block & Lot 23-P-38, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 3406 Resolution providing for the issuance of a Certificate of Appropriateness for work on exterior of 1226 Buena Vista Street, Block & Lot 23-J-308, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 3407 Resolution providing for Issuance of a Certificate of Appropriateness for work on exterior of 27 Market Square, Block & Lot 1-D-132, in the Market Square Historic District in the 1st Ward.

Also,

No. 3408 Resolution amending Resolution No. 434, effective May 8, 1981, "Providing for an Agreement/s with the Uptown Little League for construction of an Auxiliary Recreation Facility" so as to add the Project Code Account No. 4-40-05-0777-80-921-80-35.

Also,

No. 3409 Resolution amending Resolution No. 537, effective June 10, 1981, "transferring 1979 and 1980 CDBG

Funds to the General Fund of the City of Pittsburgh for reimbursement of salaries, wages and fringe benefits paid to employees in support of the city's CDBG Program" so as to correct the present project code from 4-35-01-0001-79-49-75-35 to 4-35-01-0001-79-49-79-35.

Also,

No. 3410 Resolution providing for authorization and transfer of funds to the 1981 General Fund of the City of Pittsburgh for reimbursement of indirect cost for the CDBG Program and for authorization to enter into an Agreement/s with Arthur Young for professional services in connection with the development of the indirect cost schedule and providing for the payment of the cost thereof, and repealing Resolution No. 541, effective June 10, 1981.

Also,

No. 3411 Resolution approving the sale of Block 22K, Lot 103 in the Twenty-First Ward of the City of Pittsburgh by and between the URA and Tommie A. Foster for \$445.00 — Residential Land Reserve Fund.

Also,

No. 3412 Resolution approving the sale of property in the 3rd Ward of the City of Pittsburgh by and between URA and Our Way Associates and Keystone Commercial Properties, Inc., as Joint Venturers, for \$3.00 per square foot in Redevelopment Area No. 3.

Also,

No. 3413 Resolution approving the sale of Parcels 4B, 4C, and 4C-1a in the 11th and 12th Wards of the City of Pittsburgh by and between URA and James P. Rosenbloom and/or an entity or

entities to be formed for \$2.00 per square foot—Industrial Land Reserve Fund.

Also,

No. 3414 Resolution approving the sale of Parcel 4C-3a in the 11th and 12th Wards of the City of Pittsburgh by and between URA and Port Authority of Allegheny County for \$8,000.00—Industrial Land Reserve Fund.

Also,

No. 3415 Resolution approving Modification No. 1, dated May, 1981, to the Redevelopment Area Plan for Redevelopment Area No. 29, Silver Lake Project.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 3416 Resolution providing for the issuance of a warrant in favor of Data Terminal Leasing Company in an amount not to exceed \$860.00 for the rental of Data Processing Terminals in connection with the operation of an automated Accounting and Reporting System for Capital Funds and Community Development Funds.

Also,

No. 3417 Resolution amending Resolution No. 487, approved May 18, 1981, effective May 22, 1981, entitled, "Temporarily transferring the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000.00) from Unrestricted Cash, Department of Public Works, to Unrestricted Cash, Department of City Treasurer," by increasing the temporary transfer to One Hundred Sixty-Two



Thousand Dollars (\$162,000.00).

Also,

No. 3418 Communication from James F. Lally, executive Director, Stadium Authority of the City of Pittsburgh, submitting Annual Financial Statement of the Stadium Authority of the City of Pittsburgh for the fiscal year ending March 31, 1981.

Also,

No. 3419 Communication from Ronald C. Schmeiser, City Treasurer, submitting report of deposits and market value of collateral security pledged by City Depositories to secure same as of May 29, 1981.

Which were severally read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 3420 Resolution authorizing the issuance of a warrant in favor of Pak-Mor Corporation in the amount of \$3,068.45 for emergency repair parts to City vehicles furnished without previous authority of law, chargeable to and payable from Code Account No. 1148 - Automotive Parts, Bureau of Automotive Equipment, Department of Supplies.

Which was read and referred to the Committee on Finance.

Also,

No. 3421 An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.13, Refuse Accumulation, by adding a new Subsection (e) requiring businesses dispensing products on sidewalks and

streets to provide waste containers.

Which was read and referred to the Committee on Public Works.

**REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 3422

Report of the Committee on Finance for June 24, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3325

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Raymond E. Virgili, P.O. Box 1629, Butler, PA 16001, in the amount of \$9,000.00 in payment for Sand Blasting the Lincoln Tank furnished for the benefit of the City in connection with City Controller's Contract No. 24960 and providing for the payment thereof."

Which was read.

Also,

Bill No. 3326

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Industrial Valve Corporation, in the amount of \$1,625.00, in payment for the reconditioning of various size valves for Swimming Pools, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3327

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Ropet Incorporated in the amount of \$652.96 in payment for the purchase of propane to fuel ice cleaning machine at the ice skating rinks, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3337

Resolution entitled, "Resolution providing for the issuance of a \$3,500.00 warrant in favor of American Energy Conservation, Inc., c/o William J. Schaaf, Esquire, in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 3338

Resolution entitled, "Resolution providing for the issuance of a \$811.96 warrant in favor of Martin P. Brassell in payment of claim for automobile damage."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3339

Resolution entitled, "Resolution transferring the aggregate sum of \$8,000.00 within Code Accounts of or administered by the Department of Law."

Which was read.

Also,

Bill No. 3371

Resolution entitled, "Resolution transferring the sum of \$225,000 from various code accounts to various code accounts within the Department of Law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 3423

Report of the Committee on Public Works for June 24, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3320

Resolution entitled, "Resolution amending Resolution No. 201, approved February 26, 1981, effective March 6, 1981, entitled, 'Authorizing the City Treasurer, on behalf of the City of Pittsburgh, to accept funds from the Port Authority of Allegheny County, the Urban Redevelopment Authority and the Pennsylvania Department of Transportation for Consulting Services in conjunction with Transportation Coordination for the Central Business District; providing for the creation of a Trust Fund for receipt and payment of the respective shares; and providing for an Agreement or Agreements with the above mentioned parties in connection with the Transportation Coordination for the Central Business District', by increasing the project allocation by Five

Thousand (\$5,000.00) Dollars and providing for the deposit of the Pennsylvania Department of Transportation's share of costs of Five Thousand (\$5,000.00) Dollars to the Department of Public Works' Unrestricted Cash."

Which was read.

Also,

Bill No. 3321

Resolution entitled, "Resolution amending Resolution No. 63, approved January 30, 1981, effective February 9, 1981, entitled, 'Providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for the reimbursement to the Commonwealth for the City's share of costs of construction and improvements on Legislative Route 120, Section 70M, known as Forbes Avenue, within the City of Pittsburgh, updating signals, removal and replacement of the street lighting system and construction of handicap ramps and providing for the payment of costs thereof,' by increasing the total project allocation by Fifty Three Thousand (\$53,000.00) Dollars."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Robinson

Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 3424

Report of the Committee on Planning, Housing and Development for June 24, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 1936

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jerry Eisner, for the sale of Parcels M and N in the Third Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3332

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and George Johnson and Sandra Johnson for the sale of Block 174F, Lot 89, in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3333

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire the property in the 1st Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 11-J, Lot Numbers 2 and 12, owned by the School District of the City of Pittsburgh and the City of Pittsburgh, and providing for the payment of the costs thereof under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 3334

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John Gonnella Masonry, Inc., and/or a Partnership or Corporation having Carl Perelman and Christine Sebastian Corporation as additional owners for the sale of Block 11J, Lots 2 and 12 in the First Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 3425

Report of the Committee on Parks and Recreation for June 24, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3365

Resolution entitled, "Resolution providing for an Agreement or Agreements with Champions Association, Inc., for the performance of professional services in connection with their 1981 Summer Basketball Program and transferring the sum of \$5,000.00 from Code Account 10, Accounts Payable, Prior Years to Code Account No. 1838, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

Bill No. 3426

Report of the Committee on Lands and Buildings for June 24, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3317

Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Stadium Authority of the City of Pittsburgh for the removal of architectural barriers at Three Rivers Stadium to improve physical accessibility for the elderly and physically handicapped, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3318

Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from Dolores Mae Salago of certain property in the 24th Ward of the City of Pittsburgh, for public greenway purposes for a nominal consideration plus the cost of title examination, recording of deed and other proper closing expenses; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

Mr. President, regarding Bill No. 3318 — where we are going to take City owned land, the Three Taxing Bodies, that if the property is not maintained and there is a litter problem, that the burden will not fall just on to the City but that it will be worked out, the mechanism will be such that all the Taxing Bodies would then pick up any liability and any cost, as they do now. Now, I don't know whether that is going to be a separate motion or whether we

introduce that but I want that as part of the record. Once we transfer any land or purchase any land and transfer it from the Three Taxing Bodies to the City, in most instances it is going to be done in a very orderly fashion, I understand, where we are giving it to a community, the community has committed itself to keeping it clean, but at such a point in time where the community — group dissolves, or it becomes a burden to one of the public entities to maintain and clean, I don't want that burden, or that monkey on the back of the taxpayers of the City of Pittsburgh alone, as far as — although it would be City anyway, but I would like it to be the School Board and the County will jointly own some of the deficits, for example, we have \$600,000 sitting right now, in properties, where we didn't have a typist for Rege Valaw. I did not know that half of that comes to the City immediately, plus the cost of demolition, sewage and waterlines. So, we get the greatest portion of it. On the other hand, there is a trust fund for cleaning up these properties and I don't want to have the greatest portion of cleaning up if we don't get some of the greatest benefits.

**The Chair:**

Do you want to make an amendment to that bill?

**Michelle Madoff:**

Well, I don't think it is in order, I just think we have to vote on each one separately, as they come before us and make sure that that is taken care of. I think perhaps the Finance Chairman might want to address it. We vote on this bill, 3318, on this particular property for greening and the community doesn't live up to cleaning it up and we now own it, the City owns it, not the Three Taxing Bodies, how do we arrange the splitting of the fee for cleaning that property?

**Mr. Stone:**

If I understand you correctly, we're giving it to them, not the Three Taxing Bodies, that means —

**Michelle Madoff:**

They are presently owned by the Three Taxing Bodies.

**Mr. Stone:**

Yes, but is it going to go from them to use for the private —

**Michelle Madoff:**

Well, if that's the case then we are getting the property, it then becomes ours.

**Michelle Madoff:**

That's what I'm worried about.

**Mr. Stone:**

But this one offers, as I visualize, I don't know that it is a panacea to all of the problems, but as I visualize it, it is viewed as one that will lessen the burden that we presently have, and it is the best ballgame in town right now.

**Michelle Madoff:**

Well, isn't there some provisal that can be made that even though we are taking that burden and trying to do something and acting as the agents, it is like selling a house but still maintaining the mortgage so to speak, that if indeed the property reverts back, it reverts back to the Three Taxing Bodies, not just to the City.

**Mr. Stone:**

Again, Michelle, I don't know exactly what the total structure is, if

they are going to take it from the Three Bodies and give it to us, then it can't be like an indian-giver kind of thing where you get it back — if you got it, you got it.

**Michelle Madoff:**

Then why should we do it that way? Why shouldn't the Three Taxing Bodies give it to the community?

**Mr. Stone:**

Well, I think that thing is going to be kind of flexible. What they are trying to do is to get as much under somebody's control and that to me seems to be a sensible and logical way to do it, frankly, at the present time.

**Michelle Madoff:**

Which would be the logical way, the Three Taxing Bodies to give it to the community?

**Mr. Stone:**

No, the end result. It would appear to me that as they come up we will have to be looking at them because, as I visualize this thing, it may be coming from the Three Taxing Bodies, it may be coming from the Three Taxing Bodies to us as the recipient of a gift and then out; I'm not sure of all of the totals, but there are at least, a lot of variations. We'll have to address them as they come, but again, as I say, what they are attempting to do, it seems to me to be along the right idea. If there is a little more local control, there will be a little more local responsibility and get the burden from us doing it. There is no way that you can handle all of those lots by yourself, but if each community or each neighbor picks up that which is close to him, and who has the right to use it, they tend to take care of it a lot

better than we are doing it now.

**Michelle Madoff:**

I don't think anyone is questioning the end result, the thing we are questioning is that there was a dichotomy between Mr. Evers and I forget who else was here last week, and Mr. Evers was saying it is something like 400 lots that we are going to turn over. Well, I would rather it went from the Three Taxing Bodies; the 400 lots, to the community, as opposed to the 400 lots going to the City and then to the community because then the ultimate cost effectiveness that we are going to end up, bearing any burden, if it doesn't work out, I would like the Three Taxing Bodies —

**Mr. Stone:**

Yes, but I agree with what you said earlier, this is kind of an enabling legislation, then after we start ministerially carrying out those responsibilities under it.

**Michelle Madoff:**

Well, maybe the enabling legislation ought to say that the Three Taxing Bodies turn it over to the community as opposed to the City and then we own it and then we are stuck with it.

**Mr. Stone:**

Yes, but again, let me say this, the so-called doner, or the so-called giver is not the same party each time, so you just can't handle it in one instance. I think we have to view them as they come in, as we do with all of our URA stuff.

**Michelle Madoff:**

Allright, well, this particular bill, it is my understanding, the property

would belong to the Three Taxing Bodies, and why don't we have any property belonging to the Three Taxing Bodies turned over directly to the user, any properties belonging directly to the City, only to the school or only to the County, going directly to the people who are going to maintain it. Let's eliminate the middle man.

**Mr. Stone:**

I'm just suggesting we wait —

**Michelle Madoff:**

I'm concerned about this bill, because I think we may be —

**Mr. Stone:**

Well, I don't mind the concern, it's just that I don't want to be jumping into the water —

**Michelle Madoff:**

That's what I'm saying, maybe we ought to hold it a week and see if we can change the enabling legislation to say that we eliminate the middle man, that whoever owns the property turns it over to the community, whether it is the Three Taxing Bodies, one or two, and in that way protect ourselves.

**Mr. Stone:**

I don't agree with a delay, I think we ought to get it through, we can always amend it, I think we ought to get something going.

**Michelle Madoff:**

Could we draw up an amendment to the bill Mr. Perry, for next week, that we amend this bill to say that any properties going to the Greenway Project —



**Mr. Stone:**

I'd share your question with Lands and Buildings to see if they can give you an answer for that, that would be the easiest way to handle it.

**Michelle Madoff:**

Well, I asked the question and they answered succinctly, they said, "Yes, we take it, we pay for it; if it doesn't work we pay for it".

**Mr. Stone:**

Yes, but I think you are missing one stage there, I don't think that question was brought out clearly, as to who is giving it so to speak. If its the Three Taxing Bodies then we can revert back, if it is the Three Taxing Bodies giving to the City, the Three Taxing Bodies are out of it and the City is doing whatever they want with it. So, you have two different circumstances, I think that is the kind of question that ought to be framed when giving Lands and Buildings for which you wish a response.

**Michelle Madoff:**

Fine, either we pass on it or we amend it to say that indeed, we do not accept this piece of property now without it being given by the Three Taxing Bodies. I mean, once we've accepted it we're stuck with it, that's it. Why don't we hold on it until we find out if it can go from the Three Taxing Bodies, or whoever owns the properties, directly to the person maintaining them? I mean, legally, as a lawyer, you can see the legality in it.

**Mr. Stone:**

No, I think that something is better than nothing and we ought to be moving in a direction. This is much like

mass production, you've got to get as much of it done as you can and this is the right way and we ought to be moving on it quickly.

**Michelle Madoff:**

Fine, but if we're going to amend it, the amendment ought to say that the Three Taxing Bodies, or whoever owns the property, assumes liability if the community doesn't maintain it, and find out the legality of that.

**Mr. Stone:**

Move the question.

**Michelle Madoff:**

We still haven't answered the basic legal burden that could fall on this City.

**Mr. Stone:**

I suggested to you what I think is the best way and if not, then there is no sense in us talking about it anymore, let's vote.

**Michelle Madoff:**

Mr. Flaherty, do you understand the problem?

**Mr. Flaherty:**

How do you feel about it, its your committee? Would you like to hold the bill for a week and make sure that —

**Mr. Flaherty:**

Sure, I'll hold it.

**Michelle Madoff:**

I move to hold the bill. It will cost us thousands and thousands of dollars if we don't.

**Mr. Flaherty** seconded the motion.

**Mr. Givens:**

Mr. President, I think the intent, and the way I read the bill, and I'm reading it as it is so edified in the bill itself, and I can't see recommitting it at this particular time. It is at the discretion of Council anytime, we can call any bill that we have passed at anytime, any year, and put it back into this body to show witness. I think the intent of the Greenbelt, while we are in the green season of the year, is to get it out there and get these community groups working on it to beautify that area. I think once they know that that is in fact, not the City of Pittsburgh, that it belongs to their entity, that they will surely look after it much better than what this government has been able to do so and has demonstrated in the past many years. I'm voting no.

**Michelle Madoff:**

Mr. President, if you look at the bill, 3318, it is a specific piece of property. It is the 24th Ward of the City of Pittsburgh, it is a designated lot, and we are now, by voting on this bill "aye", accepting that responsibility. It no longer is going to belong to the Three Taxing Bodies, it is going to belong to the City of Pittsburgh. If the community doesn't maintain it, we have to maintain it.

**Mr. Givens:**

Well, they're not receiving revenues from it right now anyway.

**Mr. Stone:**

Move the question.

**Mr. Givens:**

We're in a vote now, we had discussion, we're going to vote.

**Michelle Madoff:**

No, I just want to make sure that we understand what we're voting on, because from what you said, I wasn't quite sure you understood.

**The Chair:**

Is there any further discussion on the recommittal?

And on the question, "Shall the bill be recommitted?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Michelle Madoff

**Noes:**

Mr. Givens  
Mrs. Masloff  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

**AYES: 2**

**NOES 6**

And a majority of the votes of Council not being in the affirmative the motion was defeated.

**Michelle Madoff:**

Mr. President, may I request that within a year, within 12 months, we have a total figure of how the — any costs — I don't think we're going to know about it in a year, but say by — I'm trying to

think of what a reasonable time would be; obviously they will clean it up this summer — let's have an ongoing updating of the properties that have been turned over in this manner and what costs have come back to the City, if any, so we have an ongoing record so that we see whether this was a good bill or not. Its one thing to pass bills, its another thing to see if they are actually enforced and they work.

Ongoing documentation from Lands and Buildings as to the cost coming back, Mr. Evers is very concerned about those 400 properties and the burden that it will cost the City.

#### **The Chair:**

Is there any discussion on the bill itself?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES 1  
(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3319

Resolution entitled, "Resolution providing for the filing of a petition for the exoneration payment of taxes and

transfer of properties in accordance with Act 787 of 1937, as amended."

Which was read.

#### **The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### **MOTIONS AND RESOLUTIONS**

##### **Mr. Givens:**

Mr. President, there are two things I would like to address Council to, one, the Department of Public Works is here today, after this meeting, to brief any Council people that would so choose to remain on the various developments that the Department of Public Works has on the up and coming projects that we have right today, and those that will be included in the \$70 Million expenditure that the City is going to get into, so it would be enlightening as to where we stand on these different projects, for all the Councilmembers after this meeting.

Secondly, Mr. President, I have a

very distinguished guest who is vacationing at my home, his name is Patrick Joseph Linehan, Patrick, could you stand up please? Thank you Patty, sit down Pat. Patty was a young man who was sick with the childhood disease of Rheumatic Fever and during this period of time he was both physically and mentally impaired by that terrible disease back in the days when we did not have the wonder drugs to contain the temperatures, etcetera. Patty has been able to gainfully work for himself all these ensuing years and I think it is a credit to his mum and dad, Mae and John Linehan, both deceased at this time, Marie Linehan Dorsch and Tony Dorsch and Marie Dorsch, Patty's sister, has been one who has done a lot of work in helping Patty along since both parents are out. Also, Peggy Donahoe and Tommy Donahoe, Tommy Donahoe of the Blarney Stone, I think we all are pretty familiar with him, has also helped Patty considerably over these years.

You know, it does me great honor when I think of Patty, and we are just getting around to the year of the handicapped; when I was a little lad, both the boys and girls of Foster Community Center, as we were growing up back in those days, playing softball, Patty was very instrumental in always being a member of that softball team and actively playing in all of the sports that we had and it was that type of activity that this one little group of men and women did for this particular individual, "Patty Joe" as we called him, it was his favorite name, and I remember when we would throw the bat and form the teams on both sides and that last person who got the bat on the very top with his nimble fingers and was able to hold on to it, the first person that was chosen to be on that person's team was Patrick Joseph Linehan, and it is a tribute to the men and women who grew up in that particular neighborhood of

Lawrenceville, the 9th Ward of the City of Pittsburgh and I think in the year of the handicapped all of us are saying let's do something for those people out there who are a little less fortunate than us. Thank you Mr. President.

#### **The Chair:**

Thank you Mr. Givens.

#### **Michelle Madoff:**

Mr. President, with great pleasure I would like to congratulate the Administration, a memo was sent to Mike Perry and I guess Members of Council, that the City is now going to try to offset that \$4 Million deficit — \$4-1/2 Million deficit and growing, on the Aviary, the Conservatory and the Zoo, and as you know, they have raised admissions to the Phipps Conservatory and raised admissions to the Pittsburgh Aviary. I understand they are working on the Zoo at the moment. So, I would like to congratulate the Mayor, that was part of the discussion that we had before, I decided not to run and I'm glad something is happening. I would also like to take this opportunity to congratulate Mr. Brophy, when he said that in the future we would not be putting out bids that advertised how much we were willing to give away, as we did on the North Side Fire Station, "not to exceed \$70,000" and the bids came in \$66,000, \$68,000 and \$69,000; we are no longer doing that, we are no longer saying, "Come and take us", because that bid could have been done for \$19,800; so I want to congratulate Mr. Brophy in his actions.

**Mr. Stone** moved to approve the minutes of Tuesday, June 16, 1981 and Monday, June 22, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Stone:**

Mr. President, I move to recess this meeting until 11:15 o'clock, A.M., Wednesday, July 1, 1981.

**Mr. Givens:**

I have discussion on that motion Mr. President; if we could, from the Chief Clerk, I know all of the directors will be here, but I have asked for, and want at this particular meeting, a full discussion, wherein we have \$70 Million of funds which we are going to be voting upon and I would like at that particular time, for the various directors, especially that of the Department of Public Works, the Water Department, the Parks and Recreation, I think Lands and Buildings, I think they are the four major directors that are involved in that, to come up and show this Council evidence of past capital projects and how they are proceeding along on these and how they are going to implement the \$70 Million capital projects that we are about to vote on on that coming Wednesday. If they would be here and be able to speak on all of these issues; past bonding on capital, and future capital bond expenditures.

**Michelle Madoff:**

Mr. President, these committees have supplied to me, and I'm sure they are available, or you have already received them, but I got them on special request; a breakdown of all the projects that they plan to do, indeed, to use up that \$70 Million. I don't know whether you realize, but when you said you were willing to stay here all Wednesday afternoon and hear people on the subject of West Penn Water, they are going to bring people to testify. So, I just would like to, for those members of Council

who don't realize, that they are going to ask people to come and testify on Wednesday.

**Mr. Givens:**

Its going to be a long session.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And Council recessed.

Pittsburgh, PA  
Wednesday, July 1, 1981

The recessed meeting of Monday, June 29, 1981, was called to order.

**PRESENT:**

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### **REPORTS OF COMMITTEES**

**Mr. Stone** presented

Bill No. 3427

Report of the Committee on Finance for July 1, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3336

Resolution entitled, "Resolution approving a Contract for the sale of General Obligation Bonds, Series A, 1981 in the principal amount of \$70,000,000.00 for the purpose of providing funds to pay the cost of certain projects included in the City's Capital Improvements Program." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Stone:**

I move to the suspension of Rule 8 providing for the mailing printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Stone:**

In accordance with Section 322 of the Home Rule Charter, I move that the effective date on this bill shall be the date of approval by the Mayor.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7 NOES 1  
(MR. GIVENS VOTING NO)  
MICHELLE MADOFF ABSTAINING

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens:**

I would like my comments on this bill from today's committee meeting incorporated into the minutes.

**MR. GIVENS' COMMENTS ON BILL NO. 3336 FROM THE MEETING OF JULY 1, 1981:**

**Mr. Givens:**

We are paying insurance, are we not? What are we paying for that \$25 Million?

**Mr. Katz:**

The premium is approximately \$500,000 and the effect of the premium had we not insured the bonds, we believe the bonds would have traded at 11-1/2. They are trading at 11. The gross savings of the insurance is \$1,681,000.00. We are making money.

**Mr. Givens:**

Who are the underwriters of that insurance policy?

**Mr. Stone:**

American Municipal Bond  
Insurance Company.

**Mr. Givens:**

Where are they from?

**Mr. Katz:**

They are headquartered in Milwaukee, Wisconsin and they are a subsidiary of MGIC which is the national insurance company.

**Mr. Givens:**

Where are they located at?

**Mr. Katz:**

They insure mortgages as well as a variety of different kinds of policies.

**Mr. Givens:**

Where are they from?

**Mr. Katz:**

MGIC is headquartered out of New York, I believe. They are a consortium of four insurance companies that underwrite these policies. The insurance companies are in Hartford and New York.

**Mr. Givens:**

Excuse me, could I just interrupt at this point. That interest rate is very good. Could the City of Pittsburgh pay off this debt anytime from the time incurred?

**Mr. Katz:**

Yes. From 1982 to 1992 interest rates move from 8.3% to 10.9%. 1993 to 2001 is the insured block of termed bonds, \$25.1 Million at 11%. There are

then two term bonds, one due in 2004 and one due in 2006. The 2004 maturity, which pays —

**Mr. Givens:**

I have 2001 according to this resolution here.

**Mr. Katz:**

Well, the rest of it is going to be amended.

The year 2001 is the insured maturity, 2004, there is a maturity of \$10 Million term bonds priced at 9.125%. We felt that we could reduce the interest rate by structuring what is called an original issue discount and by reducing the price to \$80.25, the coupon rate of \$9.25 yields approximately 11-5/8.

**Mr. Givens:**

Is that the year 2004?

**Mr. Katz:**

Yes, sir.

**Mr. Givens:**

In 2001 there's nothing.

**Mr. Katz:**

The year 2001 is the insured bond of \$25,105,000. The year 2004 is \$10 Million bonds at 9.125% and \$22,180,000 in 2006 at 11.75%. The net interest cost is 11.255%. Under the circumstances, the market conditions, this is an excellent deal for the City of Pittsburgh and we would recommend that Council accept the offer from Merrill Lynch and Morgan and vote to approve the contract to purchase the bonds.

**Mr. Givens:**

Discussion Mr. Chairman. In looking at this schedule here, it appears that the year 2001 and 2004 and 2006 is where the majority of this bond is going to be paid off and you mentioned 11%, 9.125% and 11.75%. I notice that we only paid \$5,000 back.

The other thing in this particular entity is that I have a concern. We indicated here that we must go out and the \$10 Million tax refund that we had to initiate before we could get a better interest rate on here, and now you are coming back with a \$70 Million bond before the \$10 Million and that's confusing to me.

**Mr. Schmeiser:**

We had to have approval of the \$10 Million.

**Mr. Givens:**

Approval —

**Mr. Schmeiser:**

From Council, yes. And we have to go to court and that's scheduled for next Wednesday.

**Mr. Givens:**

There's been no approval on that \$10 Million.

**Mr. Schmeiser:**

Not on the interest rate. We have to go to court first and if the court gives us approval, then —

**Mr. Givens:**

Council approved that some three weeks ago. Have we not submitted any

paper work from the legal department or from your department?

**Mr. Schmeiser:**

This is on schedule. There has been no delay on it at all.

**Mr. Givens:**

But yet the courts have not — but the bond company feels that because we are going down that street that they're willing to give us the type of ratings that they want to on this one.

**Mr. Schmeiser:**

That's right.

**Mr. Givens:**

What if that \$10 Million comes in at an excessively high rate, that has no affect later on downstream. Is there anything of an amendment that would be coming into this resolution that will affect this bond rating?

**Mr. Schmeiser:**

No.

**Mr. Givens:**

Sam, within the resolution, you were here at the time, I raised the point and I'm still very concerned about this. It indicates, the language says "non-redeemable", but yet you are saying that we can redeem this with penalties.

**Mr. Katz:**

They are not. I said that we could refund. The first ten years we cannot take the bonds away from the —

**Mr. Givens:**



In reviewing our other bonds that the City has made over the years —

**Mr. Katz:**

The City has ten-year protection since the 1970's which is as far back as I reviewed. This is very common for general obligation bonds.

**Mr. Givens:**

But I've never seen the language "non-redeemable".

**Mr. Katz:**

That's the way it is structured. I'll send you a copy of the 1978 official statement and you will see that the first ten years of the bonds are non-redeemable.

**Mr. Givens:**

Non-redeemable? I was always aware that anytime you had paid back any indebtedness that we are going to have to pay certain penalties.

**Mr. Katz:**

If you buy the term bond in 2006, and in three years the City wants to call that bond, it can't do it. The bondholder in 2006 is hoping to hold his bond at least until 1996, but if he could have that bond taken away from him in a year from now, then at least he wants an additional premium on his yield. He wants that to run at 11.75.

**Mr. Givens:**

Okay, for us to have borrowed on the \$70 Million on the schedule that you have depicted to us, what is the bottom line of interest that we will be paying to full maturity of this bond note as described by you?

**Mr. Katz:**

It is 11.255%.

**Mr. Givens:**

No, that is the interest rate. When you compound that out, all the schedules, what is the total that the taxpayers of the City of Pittsburgh are going to have to pay for the \$70 Million?

**Mr. Katz:**

Annually \$8.3 Million.

**Mr. Givens:**

What is the total of that?

**Mr. Katz:**

The total is \$207,039,414.

**Mr. Givens:**

Thank you. So to borrow \$70 Million over the term of this bond, we will be paying out \$207 Million, correct?

**Mr. Katz:**

Right.

**Mr. Givens:**

I said the interest rate was pretty good compared to today's interest rates. I'm not knocking that one bit. I think they have done one helluva job. I'm not saying the interest rates are good though. I don't think anybody in their right mind today — the one thing that I have concerns about to my fellow Councilmembers here and I still have concern with it, is that we are going out and borrowing the \$70 Million and I had passed out this schedule to you previously. It so indicates that in the past ten years we went from 6.8% to 17.7% of our total budget each year. We

are now going to be paying almost \$137 Million just for this one entity over the years and we are going to pay it. But we have been doing that and as a result these pensions, etc., have been opening up to where we are going to get to the point where it is going to become very serious with us.

I have a little note here of my concern in this particular area on the pensions and our total indebtedness which this \$70 Million bond issue gets into and I have to say here and this was quoted in 1976, Caliguiri, our present Mayor who was then Councilman, studied the soaring pension costs. Caliguiri, who at that particular time was Council's Finance Chairman, pointed to an alarming increase in the pension process. He called for a total re-examination of the City's pension system. This was in 1976. Moreover, because of the City's Home Rule Charter, he questioned the state legislators' right to continue to grant pension benefits to City workers.

I think a strong case can be made that the power is now vested in City Council where it properly belongs. And in going over this \$137 Million, this going over our capital budget, what this money is for, over the last three years, in 1979, we should have borrowed \$38 Million at approximately 10% interest. And, in 1981 we should have borrowed \$60.5 Million and I put an arbitrary figure on that of around 12%. Adding this all up it indicates that we're to be taxing the people at about \$131.6 Million and this delay means to me somewhere to the tune of about \$7 Million that it is going to cost the City of Pittsburgh because we did not go out and buy bonds in these previous times. Minus that \$10 Million more that we're not shooting for that we are in this particular \$70 Million — that was at 60. So, add that to it at this stage and its going to come up around

\$10 Million additional money.

You've covered the resolution and the points of interest that I had in that particular thing. Then we go down to the nuts and bolts of why we're borrowing this \$70 Million which is for capital improvements. I went into those capital improvements especially within my Department of Public Works and I reviewed them with Eddie Alberts, our Chief Engineer from our finance section and I have talked to some of the people down in the Public Works Department. I went out into the area of the City of Pittsburgh where some of these problems are ensued and I came up with a total, grand total, in my own department of around \$16.5 Million and I don't think we are going to be able to start on it. Now, you can take it or make it. What are we going to do with this money? Just leave it with pure interest in the bank at these particular high interest rates.

In looking at the Zoo which we discovered today, there's \$4.2 Million going into the Zoo and to Grant and Liberty Avenue, \$1.2 Million. The City garage — we're asking \$1 Million for to buy a garage or land for a garage and I don't know if we are going to go out and do that or not. I think it is going to be done, but I don't think there's anything pressing us to go out there and get it exactly right now, this particular year. That adds up to \$6.4 Million, \$16.5 Million, a total of \$22.9 Million which I feel can be pared from this \$70 Million debt that we are going out for.

I think the cost overruns in the past, and we've reviewed here previously in Council, that the \$39 Million that we went out for, some 24 projects that were to be completed starting at the beginning of this year, only 10 have started, 14 are unstarted and that's the \$39 Million that we had borrowed.

I look at engineering; do we have the capability? I'm reviewing that right now within our engineering staff.

We are in the final debate where we accept what I consider even though it is a good interest rate on today's market, it is still considerably a high interest rate when we look at traditionally 4, 5 or 6% interest that we have been borrowing through this 1970 period that we have talked about.

The thing is engineering for inspection, our design and how we designed it, all of this is coming back and hitting us with delays as you had mentioned Mr. Chairman.

These are some of the problems that we have. I just have one more point to bring out and that is that we have the Controller's report to this Council and everybody on the General Fund on the last day of June which so indicates that we're some \$9 Million short. Now, we appropriated or we are to receive \$11 Million more additional money this year, which you could say that it is \$19 Million, but we have a lock box account which was not in that report, which I hope Ray Johnson will put it in that report and there's some \$12 million in that particular lock box. But even with that we still come out with a bottom line of revenues received, some \$7 Million shorter than it was last year at this particular time.

Even though we are to collect \$11 Million more, that puts a little bit of a scare in me.

You talk about taxing. Taxing, indexing and giving it through Congress, but what are we going to do next year when we come down to this particular high estimate tax burden in major U.S. cities has put Pittsburgh at the top of the scale where a normal citizen making

\$22,500 annual income in 1978 that \$1,582 went for property. We are one of the highest above New York City, above Philadelphia, above Baltimore, above Washington, D.C., above Detroit, above St. Louis, Chicago, Cleveland; you can go on, and we're paying at the rate of some 12.5% totally in there.

If we do not vote, as I'm describing to my fellow Councilpeople, if we do not vote on this 11.25%, then the whole thing goes out the window or they go back to the drawing board.

I have said nothing that is loose. I have two very important letters that I had sent to the Mayor that I have not received an answer on and I want to address that.

I had sent a letter to the Mayor on June 17, 1981, just exactly in regards to the \$70 Million where I had asked the Mayor at Council's Finance Meeting on June 17, 1981, I requested that you provide this office in writing, and I'm talking through the Council, the Mayor was supposed to respond to the Council, in writing for the comment that you will include the 1982 budget some fiscal measures for reserving the City's unfunded pension liability. If we look at our pension liability of \$350 Million, if we look at our outstanding liability today of some \$215 Million that the City taxpayers have to pay today, not including this \$70 Million that we are going out for right now at \$137 Million. You can see the picture that I am trying to make. We are putting ourselves in a real indebtedness situation and I have to appreciate its a renaissance-type era, but I've asked the Mayor, could he please write to this Council and say something in the 1982 budget in regards to this particular bill. I wanted some answer from him. I received no answer whatsoever on the \$70 Million issue regarding the 1982 budget and what he's

going to do for our unfunded liability.

I so indicated here today we were able to get a Triple A rating because we were able to get a \$25 Million insurance. They didn't insure the whole thing and you might ask yourself why because if they could --

I'm asking a specific question. I have one more letter and I'm finished.

I am asking a specific question as to why we did not insure -- if we could say that \$1 Million, why then, did we not try to insure greater than that and have a much greater saving? What happened?

**Mr. Katz:**

The municipal bond insurance companies do not put all their eggs in any one basket. This is what they said they are willing to take credits for.

**Mr. Schmeiser:**

Its quite an accomplishment to get that much.

**Mr. Givens:**

And I have the one other letter that was sent to the Mayor and it was at this finance meeting and that's why I bring it up. This is something that we have to discuss at this Council table. It was never discussed at this table.

Through this Council I had also asked that the number of police officers has fallen below the desired level despite your indication that the Mayor would not allow this to occur and I know there's a bill that was introduced to you today.

The point is that the police officers are down. When we first went back to the 1981 budget back in January, I did not vote for this particular budget.

I did not vote for this \$70 Million and the reason I did not vote for it was very simple. One, was the pension liability and he did not address it and this Council did not address it. And even the Mayor says that it is Council's responsibility to address and now. I was very concerned that our police authorization -- that we had of 1,400 was not adequate and I feel something should be done about it. Coupled in with the \$10 Million that was a complete boomerang and came in the back door to us, all this leads me to believe that we are going down an avenue, a financial avenue of distress and I caution this Council, I caution the Mayor and I caution the people of the City of Pittsburgh to look into it a little bit deeper what all of us are doing right here and hopefully, we are going down that right trail. This is not to say anything derogatory to the Administration. Caution flags are coming up on the various points that I have so indicated here and the other thing that scares me just a little bit was the fact when the Mayor came out and said this in 1976 that we should do something about it, there was coverage in the newspaper. I just happened to be at a convention in New York City at that particular time wherein the Treasurer at that time, of the City of Pittsburgh, came running in to then, Mayor Pete Flaherty, and said, "Look at this, look at that article right there. What is he trying to do to our bond rating?" There has been nothing discussed in the Pittsburgh media in regards to the \$70 Million bond issue and the people have been kept in the clouds, in the dark.

**END - MR. GIVENS' REMARKS ON BILL NO. 3360, 7-1-81.**

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JULY 6, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAY...Asst City Clerk**

Pittsburgh, PA  
Monday, July 6, 1981

#### PRESENT:

Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 3428 Resolution providing for an Agreement/s and/or a contract/s in connection with the roof rehabilitation of Emergency Medical Services Headquarters, Shadyside Station, and

providing for the cost of the payment thereof not to exceed \$40,000, payable from LB 80-04, Shadyside Station Rehabilitation.

Also,

No. 3429 Resolution providing for an Architectural and/or Engineering Agreement/s in connection with the design and rehabilitation of No. 1 Engine Company, Mt. Washington, and providing for the payment of the cost thereof at a cost not to exceed \$40,000.00, payable from LB 80-03, No. 17 Engine Company, Mt. Washington.

Which were read and referred to the Committee on Lands and Buildings.

##### Mr. Givens presented

No. 3430 Communication from Louis Gaetano, Director, Department of Public Works, requesting interior approval of payment of \$8,900.00 to Da Construction Company for extra work in connection with widening and repaving intersections at Spring Garden and Chestnut Street.

Also,

No. 3431 Communication from Louis Gaetano, Director, Department of Public Works, requesting interior approval of payment of \$1,400.00 to Atwood and Bates Construction Company for extra work in connection with Kennebec Street Sewer Reconstruction.

Also,

No. 3432 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Messrs. Pugh and O'Mara to observe operations of Astec Asphalt and Recycling Plant, Westfield, N.J., July 20-24, 1981, at a cost not to exceed \$1,300.00, payable from C.A. 1502, Miscellaneous Services, Department of Public Works, also requesting permission for city owned vehicle to be used for transportation.

Which were read and referred to the Committee on Public Works.

Also,

No. 3433 Resolution providing for an Agreement/s with the Overbrook Boy's Club, for performance of services in connection with their 1981 Summer Program and transferring the sum of \$5,000.00 as follows: \$4,500.00 from C.A. 42, Council's Contingency Fund and \$500.00 from C.A. No. 10, Accounts Payable Prior Years to Code Account No. 1838, Department of Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff presented**

No. 3434 Resolution transferring \$40,000.00 from Code Account No. 1714, Materials to Code Account No. 1705,

Repairs, Department of Water.

Which was read and referred to the Committee on Finance.

**Mrs. Masloff presented**

No. 3435 Resolution authorizing the issuance of a warrant in favor of Arsenal Construction Co., in the amount of \$385.00 in payment for extra work performed at Highland Park Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof. Project Code 4-10-05-1380 (PR 79-05) Swimming Pools Including Brookline and Highland Park Bathhouse.

Also,

No. 3436 Resolution authorizing the issuance of a warrant in favor of Meyers Plumbing and Heating Supply Company in the amount of \$442.72 in payment for extra work performed at Northgate Park furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 3437 Resolution authorizing the issuance of a warrant in favor of Nello Construction in the amount of \$5,110.00 in payment for extra work performed at Highland Bathhouse furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 3438 Resolution authorizing the issuance of a warrant in favor of Recreational Equipment Unlimited, Inc., in the amount of \$6,500.00 in payment for the purchase of recreational

equipment; \$6,500.00 from Code Account 1842, Equipment.

Also,

No. 3439 Resolution authorizing the issuance of a warrant in favor of Easley & Rivers, Inc., in the amount of \$3,024.00 in payment for the purchase of recreational equipment; \$3,024.00 from Code Account 1842, Equipment.

Also,

No. 3440 Resolution authorizing the issuance of a warrant in favor of U. S. Games, Inc., in the amount of \$1,315.16 in payment for the purchase of recreational equipment, payable from Code Account 1842, Equipment.

Also,

No. 3441 Resolution authorizing the issuance of a warrant in favor of West Penn Billiard & Trophy Corporation in the amount of \$4,536.00 in payment for the purchase of recreational equipment, payable from Project Code 4-10-15-1717-80 (PR80-23).

Also,

No. 3442 Resolution authorizing the issuance of a warrant in favor of J. M. McClintock & Company in the amount of \$831.92 in payment for the purchase of recreational equipment, payable from Project Code 4-10-15-1717-80 (PR80-23).

Also,

No. 3443 Resolution authorizing the issuance of a warrant in favor of Chatham Sports Center in the amount of \$1,694.00 in payment for the purchase of recreational equipment, payable from Project Code 4-10-15-1717-80 (PR80-23).

Which were severally read and referred to the Committee on Finance.

Also,

No. 3444 Resolution providing for the filing of application by the City of Pittsburgh with PA Council of the Arts for a grant in connection with the Community Festival/Dance Program Project; providing for execution of Grant Contract and filing of requisitions and other data; approving the Community Festival/Dance Program Project, providing for required assurances, execution of payment vouchers and certifications of authorized signatures; depositing in Special Parks Program Trust Fund.

Also,

No. 3445 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$15,428.70 for purchase of steam at Phipps Conservatory.

Also,

No. 3446 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting amendment of Council Bill 3236 authorizing Lindsay Clack of the Aviary to travel to San Diego, California to transport live birds being donated by the San Diego Zoological Society to Pittsburgh Aviary by correcting date to read July 16-18, 1981, at a cost not to exceed \$782.00, payable from Aviary Trust Fund.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 3447 Resolution providing for the issuance of a warrant in favor of Cole Publications in the amount of \$705.00 for five Pittsburgh Cole Directories, chargeable to Code Account No. 1447, Miscellaneous Services, Department of Police.

Also,

No. 3448 Resolution providing for the issuance of a warrant in favor of International Business Machines Corporation, for rental of equipment for April, May and June, 1981, chargeable to Code Account No. 1447, Miscellaneous Services, Department of Police.

Which were read and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 3449 Resolution providing for the establishment of the Bureau of Building Inspection Improvement Program Trust Fund Account, and authorizing the City Controller to transfer the sum of Twenty-Five Thousand Dollars (\$25,000.00) from the Rents, City-Owned Property Trust Fund into (BBIP) Account and providing for the reimbursement thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 3450 Resolution providing for an Agreement/s with the Commonwealth of Pennsylvania, Department of Community Affairs, for the Bureau of Building Inspection Improvements Program Trust Fund, to receive grant funds in an amount not to exceed Ten Thousand Dollars (\$10,000.00) to be deposited into the Bureau of Building Inspection Improvement Program Trust

Fund Account.

Also,

No. 3451 Resolution authorizing the receipt of a grant in an amount not to exceed Fifteen Thousand (\$15,000.00) Dollars from the Buhl Foundation to be deposited into the Bureau of Building Inspection Improvement Program Trust Fund (BBIP)

Also,

No. 3452 Resolution providing for an Agreement/s with the Pennsylvania Economy League, Inc., in connection with the Bureau of Building Inspection Improvement Program Trust Fund (BBIP) in an amount not to exceed Twenty Five Thousand Dollars (\$25,000.00) chargeable to and payable from the (BBIP) Trust Fund.

Also,

No. 3453 Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635, and 1065 of 1980, and by Resolution No. 316 of 1981, so as to decrease line item HD-80-16 from \$330,000 to \$100,000; and further, to increase line item HD-80-06 from \$500,000 to \$638,000; and further, to increase line item CP-80-02 from \$100,000 to \$147,000; and further to increase line item UR-80-13 from \$120,000 to \$140,000; and further to change the title of line item DCD-80-03, "Interest Reduction Grant and Loan Fund" to "Industrial Loan Fund", the net result of these changes will provide \$67,000.00 for the Oakland Planning and Development Corporation.

Also,

No. 3454 Resolution providing for



an Agreement/s with the Oakland Planning and Development Corporation, Inc., for the establishment of a Neighborhood Revitalization Office in Oakland for the implementation of the residential renewal work program as contained in the Oakland Planning Study at a cost not to exceed \$67,000.00.

Also,

No. 3455 Resolution further amending Resolution No. 1130 of 1980 which amended a previous Resolution No. 822 of 1980 which amended Resolution No. 313 of 1980, by making certain line item additions and reductions to the budget, and providing for the payment of the cost thereof.

Also,

No. 3456 Resolution for the filing of an application by the City with HUD for a grant in connection with the Allegheny Landing UDAG Project.

Also,

No. 3457 Resolution approving the sale of Block 23L part of Lot 184 (1220 Boyle Street) in the 22nd Ward of the City of Pittsburgh by and between URA and Andrew C. and Mary Paula Pavinich for \$100.00, Great House Sale.

Also,

No. 3458 Resolution approving the sale of Block 23G, Lot 81 (1430 Boyle Street) in the 25th Ward of the City of Pittsburgh by and between URA and Debra A. Goodworth for \$100.00, Great House Sale.

Also,

No. 3459 Resolution approving the sale of Block 23F, Lot 127 (240 Carrington Street) in the 25th Ward of

the City of Pittsburgh by and between URA and Benjamin Perez for \$100.00, Great House Sale.

Also,

No. 3460 Resolution approving the sale of Block 23F, Lot 355 (27 Alpine Street) in the 25th Ward of the City of Pittsburgh by and between URA and John W. and Lillian Evans for \$100.00, Great House Sale.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 3461 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$2,000.00 in favor of persons who provide proctoring services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1981 Police Officer Entrance Examination on July 18, 1981, and providing for payments thereof, payable from Code Account 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Which was read and referred to the Committee on Finance.

#### **The Chair presented**

No. 3462 Petition from residents of the Hill District (ACORN) requesting a hearing on the Crawford-Roberts Project and other URA sponsored Projects in the Hill District.

Which was read and referred to the Committee on Planning, Housing and Development.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 3463

Report of the Committee on Finance for July 1, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3354

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sciulli Brothers, Inc., 3718 Dawson Street, Pittsburgh, PA 15213, in the amount of \$745.00 in payment for the removal and resetting of stone walls furnished for the benefit of the City in connection with City Controller's Contract Numbers 24765 and 24765-F and providing for the payment thereof."

Which was read.

Also,

Bill No. 3356

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Roland Hawkins, in the amount of \$3,500.00, in payment for the purchase of a library of books and Bird and Nature Paintings, without previous authority of Law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3369

Resolution entitled, "Resolution providing for the issuance of a \$9,000.00 warrant in favor of Theodore J. Hildebrand, Jr., c/o Bernard Markovitz, Esquire, in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3370

Resolution entitled, "Resolution providing for an Agreement or Agreements with Pittsburgh Opportunities Industrialization Center, Inc., to provide classroom training for thirty (30) CETA participants for the positions of Cable Television Splicer (12), Cable Television Installer (12) and Cable Television Technician (6) and providing for the payment of the costs thereof."

Which was read.

## **The Chair:**

Is there any discussion on the bill?

## **Michelle Madoff:**

Mr. President, on Bill No. 3370, this morning's paper, the Post Gazette, there are a whole series of articles on better jobs that will be opening to minorities here, and one of the stories, one of the statements it makes is that the rate for black women is at 10.7%, most critical, it is estimated that 30% to 40% of the young black males in Pittsburgh are out of work. How can we justify spending OIC dollars to provide workers for Warner Cable when TCI, which was the Post Gazette involvement, came up with something like \$200,000 to fund a project to train people to work for Warner? Let Warner train its own people. Let's use that OIC money to provide more jobs and more training. The cop out and the bail out and the bottom line and the excuse we are using to go along with Warner is that they are going to hire everybody. They are going to hire everybody good they train, even if they have to go out of the City if they need people, once they need installers, once they are ready for that stage of the game. How can we sit here and allow that money to go?

Now, many of you may or may not have seen the document which is the perspectus on our bond issue, and in there I marked off, and I just have to find the location, the amount of money that we have not spent yet for training programs. That money has got to be used wisely. We've got this tremendous, vast unemployment amongst the poverty people of this community. Somehow it spreads into the other communities. Those that don't have are going to go get. When you don't have bread and shoes and milk for your family. We've got to provide employment, and the

argument is going to be, "Well, but we are guaranteeing to give them a job", and the old argument, "We train them and train them and train them", we don't give them jobs. If we have a competent department, and with this marvelous relationship that this present Administration has with Renaissance II, maybe we need a Renaissance III on job employment. My father didn't go to college, did your's "Jeep"? Maybe they learned as apprentices to do jobs, maybe we need a major apprentice program that would guarantee jobs instead of training people and spending money for Warner. I think that is immoral.

## **Mr. Stone:**

Move the question.

## **The Chair:**

I just want to say, you made these same comments Wednesday Michelle, I appreciate your repeating them again.

## **Michelle Madoff:**

Well this Council doesn't really care whether that money is used to help Warner out.

## **The Chair:**

I didn't say that, I'm just saying that your comments are already on the record.

## **Michelle Madoff:**

I just wanted to make my statement on that.

## **Mr. Givens:**

On Bill No. 3370, I would like my remarks from Wednesday's session to be brought forward.

**MR. GIVENS' COMMENTS ON BILL NO.  
3370 FROM THE MEETING OF  
WEDNESDAY, JULY 1, 1981:**

**Mr. Givens:**

I'd like to bring out some points and Michelle so indicated that O.I.C. in fact, was the first unit out there that trained people for the Warner Cable people and, in fact, of the four or so companies that bid on this, one company put up front money so people could be trained for this particular entity and they were trained. In fact, if those people were not trained, Warner would have had to bring people in from out of town and as a result they had hired thier own people.

Also, Warner, if you want to speak of Warner Cable, they went down and contracted with Bidwell Company there and trained their own people in-house again. This is an ongoing program and Cable T.V. is one of the fastest growing industries in the Country and Pittsburgh is just a drop in the bucket right here. We've got all of Allegheny County that can be brought into this function and our people are going to get the job and it is the people that we want to get the jobs. So what this CETA Program is doing is further growth. It has nothing to do, really, as I envision it, with Warner Cable.

**END - MR. GIVENS' COMMENTS ON  
BILL NO. 3355, 7/1/81.**

**Mr. Stone:**

I request that my remarks from last Wednesday's meeting be brought into these minutes.

**MR. STONE'S COMMENTS ON BILL NO.  
3370 FROM THE MEETING OF  
WEDNESDAY, JULY 1, 1981:**

**Mr. Stone:**

If I may, on this issue. I'm reminded of a remark by Swampman Williams — I forget his first name — who says that the trouble with all of our programs is that we train people so they can get into another training program so that they qualify for another training program so they can learn to go on public assistance. Now, here is a program which applies to low and moderate income and we have people here who qualify for that and they are city residents. We have an eligible sub-contracting agency in the Pittsburgh Opportunities Industrialization Center and at the end of the line we're ending out from this program having a golden opportunity of instead of training them for a training program, we train them for a job when the job is there and there is a good track record. This program seems to me to have a good result and I think we ought to quit wasting time on it and get onto moving it.

**END - MR. STONE'S REMARKS ON BILL  
NO. 3370 - 7/1/81.**

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Givens  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6 NOES 1  
(MICHELLE MADOFF VOTING NO)

And a majority of the votes of

Council being in the affirmative, the bill passed finally.

**Michelle Madoff:**

Mr. President, point of order — on page 824 of the perspectus, it states that there is \$14,727,000 — almost \$15 Million in comprehensive and training programs not spent, uncommitted funds. I'd like to know why. I think we ought to get a letter back to somebody and find out what's going on in that program. Is that money being invested to draw interest to bail us out again? What is it being used for? I think we have the right to know those things.

Also,

Bill No. 3404

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Conaway Enterprises, Inc., in the amount of \$1,900.00 for extra repair work done during the rehabilitation of Medic Unit 1, completed without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 2861

Resolution entitled, "Resolution providing for the lease of the Civic Arena from the Public Auditorium Authority of Pittsburgh and Allegheny County from 6:00 a.m. to 5:00 p.m., July 18, 1981, at a rental of \$2,298.55, for the administration of the 1981 Police Officer Entrance Examination and for other public purposes, upon certain terms and conditions; and providing for the payment of the cost thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 3464

Report of the Committee on Public Works for July 1, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3347

Resolution entitled, "Resolution amending Resolution No. 808, approved August 19, 1980, effective August 25, 1980 entitled, 'Providing for an Agreement or Agreements with a professional engineering firm for engineering services in connection with Mission Street Bridge West (PW 79-18) and Mission Street Bridge East (PW 79-19) and providing for the payment of costs thereof', by decreasing the total allocation by One Thousand Nine Hundred Thirty Six Dollars and Thirty Two Cents (\$1,936.32)."

Which was read.

Also,

Bill No. 3348

Resolution entitled, "Resolution amending Resolution No. 203, approved February 26, 1981, effective March 6, 1981 entitled, 'Providing for a Contract or Contracts, or the utilization of existing Contracts, authorizing the resurfacing of various City street and park roads with bituminous materials, including asphalt milling, planing and regrading, recurbing and other work incidental thereto; and providing for the payment of costs thereof', by increasing the total project allocation by One Million (\$1,000,000.00) Dollars."

Which was read.

Also,

Bill No. 3349

Resolution entitled, "Resolution providing for a Contract or Contracts for the Reconstruction of the Colera Street Footbridge over Streets Run Creek, including private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3350

Resolution entitled, "Resolution providing for a Contract or Contracts for the Rehabilitation of the Mission Street Bridges, including private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3351

Resolution entitled, "Resolution providing for a contract or contracts for the reconstruction of Steuben Street sidewalk, wall and sanitary and storm sewer, including private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 3465

Report of the Committee on Planning, Housing & Development for July 1, 1981, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3367

Resolution entitled, "Resolution providing for an Agreement or Agreements with Donald Gibbon for photographic services in connection with the Department of City Development's advertising and public relations needs; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

Bill No. 3466

Report of the Committee on Water for July 1, 1981, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3355

Resolution entitled, "Resolution providing for a contract or contracts for the Installation of a Liner Along With Associated Work at Highland Reservoir No. 1, and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On the bill, I would like my comments from Wednesday brought forward and I have great concern that we do not do something very rapidly to put a cover on that particular reservoir, it has every unimaginable and imaginable piece of garbage, dead animals, in that reservoir and I've had a number of calls,

people are concerned about whether that water is being sufficiently treated afterwards and I want that water tested at taps after it comes out.

**MICHELLE MADOFF'S REMARKS ON  
BILL NO. 3355 FROM THE MEETING OF  
WEDNESDAY, 7/1/81:**

**Michelle Madoff:**

I had a call at my office yesterday from people that jog around the reservoir in Highland Park. I understand that we have drained that water now, correct?

**Director Cosentino:**

On one side, yes.

**Michelle Madoff:**

And I understand that what we found at the bottom would make ten Marines ill.

**Director Cosentino:**

There is some debris in there, yes.

**Michelle Madoff:**

Some dead animals?

**Director Cosentino:**

I wasn't aware of that.

**Michelle Madoff:**

I understand that it is horrendous. Would you please check back with Council? I would even like some photographs of what is being found there. I understand it is a nightmare.

Since I have been working on that for some 12 years, and since we decided when I got here to Council that we had \$175,000 or \$75,000 appropriated to put

a liner in as a demonstration on one of our reservoirs, how soon is that cover going in?

**Director Cosentino:**

We expect to put that in this year.

**Michelle Madoff:**

When this year?

**Director Cosentino:**

Towards the end of the year. I would say that we are going to initiate the program at the end of the summer.

**Michelle Madoff:**

Is it designed?

**Director Cosentino:**

Yes.

**Michelle Madoff:**

Is it built?

**Director Cosentino:**

No.

**Michelle Madoff:**

Is it in the process of being built?

**Director Cosentino:**

Yes.

**Michelle Madoff:**

Do you know how many years that money has been appropriated?

**Director Cosentino:**

It has been about three years.



**Michelle Madoff:**

The money was never for this one, sir.

**Director Cosentino:**

We had to make a change.

**Michelle Madoff:**

Originally this money was appropriated for which reservoir?

**Director Cosentino:**

For the Brashear Reservoir.

**Michelle Madoff:**

If you will recall Mr. Stone, I had talked about leasing that property out, perhaps putting a skating rink or some kind of a cement top on top of this and generating some revenue and we were looking into it before with Director Miller before Mr. Cosentino came aboard. Because it was too big in entity to put a cover on, there seems to be some great problem with covering it, which is why I have him at the table now. This is our largest volume of water supply?

**Director Cosentino:**

The one in Shaler Township is larger.

**Michelle Madoff:**

And this one is supplying a major portion of the City?

**Director Cosentino:**

Yes, it is in the heart of the City.

**Michelle Madoff:**

And if I recall correctly and I don't know if you concur with Mr. Miller, he said it was not feasible to put a cover on because it was too big, is that still the situation?

I understand that it is for a liner, not a cover, but what good is putting another liner in if we are going to have to keep putting liners in if we don't do something to protect the liner in the water?

**Director Cosentino:**

It is my understanding that in Philadelphia they have a larger reservoir than the one here and it is being covered.

**Michelle Madoff:**

All right. Would you come back to this Council before the next year's budget very early and tell us what you are going to need in dollars to cover that reservoir?

**Director Cosentino:**

I will be happy to do that.

**END - MICHELLE MADOFF'S REMARKS ON BILL NO. 3355 - 7/1/81.**

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mr. O'Malley

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff for Mrs. Masloff presented**

Bill No. 3467

Report of the Committee on Parks and Recreation for July 1, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3357

Resolution entitled, "Resolution repealing Resolution No. 75, approved January 30, 1981, effective February 9, 1981, entitled, 'Providing for the letting of a contract or contracts in connection with the construction of the Sacramento Street Playground; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 3358

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of bituminous paving; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3359

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of concrete work; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3360

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the installation of fence; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3361

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the color coat surfacing of various basketball and tennis courts within the City of Pittsburgh and providing for the payment of the cost thereof."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff

Mr. Stone  
Mr. Woods

Mr. O'Malley

Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens for Mr. Flaherty presented**

Bill No. 3468

Report of the Committee on Lands and Buildings for July 1, 1981, transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3346

Resolution entitled, "Resolution authorizing the sale of City property designated as Block and Lot No. 3-G-85, 17th Ward, to George Silverman for the sum of \$17,500.00, located at 901 Bingham Street, known as the Old No. 11 Fire Station."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mr. O'Malley

Mr. Stone  
Mr. Woods  
Mr. DePasquale

(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff presented**

No. 3469 WHEREAS, the City of Pittsburgh is in the process of issuing Bonds in the principal amount of \$70,000,000.00 and Notes of Bonds in the principal amount of \$10,000,000.00; and

WHEREAS, Bond financing is specifically for capital projects, i.e., structures or equipment which have a long, useful life, and in no way should bond monies be comingled with operating budget monies or be used to pay salaries and wages; and

WHEREAS, at a time of unprecedented interest rates issuing Bonds simply for temporary earnings is unwise and unwarranted, moreover, it comes at a tremendous cost to the taxpayers of the City of Pittsburgh; and

WHEREAS, the financial position of the city in money markets has been downgraded by the New York City rating agencies through a lowering of the bond rating making it more costly for the City to finance capital projects.

NOW, THEREFORE,

BE IT RESOLVED, that the Members of the Council of the City of Pittsburgh hereby urge and strongly recommend, that the interest money that the City received for the issuance of the \$70,000,000.00 Bond and from the \$10,000,000.00 Bonds or Notes, be used

solely for the purposes of paying off the Bond issue.

Which was read.

**Michelle Madoff** moved for adoption.

**Mr. Givens** seconded the motion.

**Michelle Madoff:**

Discussion before we vote. I had circulated to members of Council an article from Newsweek and an article from the Daily Bond Buyer. Someone dropped off at my home today, the actual bond in its entirety in what we are supposedly — with our names in it and our occupations and our histories, I just recently, a few minutes ago, checked with our fiscal department, it appears that our municipal bond indebtedness is not \$330,000,000 as I anticipated, but it is more in the nature of a half-billion dollars, when you take the unfunded fire, police and municipalities pensions. They come first, they have to be paid. I don't think there is a member of this Council that doesn't agree with Mr. Stone, that we have to go out as quickly as possible and do the work that has to be done so that inflation doesn't eat up whatever additional interest rates we may be saving, but if we are going to run this City properly, and we are the fiscal arm, we approve every dollar that goes out of this City, and that is the legislative responsibility of Council; with the given facts that only \$4-1/2 million will come to this City from the new Renaissance II development, that is PPG, Dravo and the Oxford Building, that isn't even enough to offset or increase our normal increase year in cost of living. Not to mention the savings that people are going to be making in their assessments, and reassessments of their interest, the monies they have to pay on their homes, the savings -- the \$10 Million bond that we are taking to pay it back and it is going

to be much greater next year I understand.

I think it is very important to point out that fiscal prudence would dictate that capital sub-accounts exist for each capital project to be financed. If this is being done in the same careful fashion that Frank Lucchino has done for the County, I think the City would be further ahead. What I am saying is let's use the profit, the interest, because it is only 5%. If indeed we cannot go out in the market and put out for bid, any contract, unless we have encumbered the dollars; and that is the argument we have been given, on the \$70 Million, we have been told \$25 Million will be Triple A and insured, the rest is not insured. We couldn't possibly begin that work as rapidly as we even want to or anticipate. We ought to be waiting for a window. For a lowering of the interest rates. We are at one of the highest levels possible. I don't have a crystal ball but it can't get any worse than it is, it can't get much worse. There is a chance, a good chance, that it will get better and we ought to go out for a portion of the bond, hold up, and go out for a portion later. If we don't do that, if indeed, we have to go out for the \$70 Million; and I guess it is after the fact, I don't have any say in the matter, it would be up to the Administration now to make a change; then that money ought to be escrowed in a separate account and any interest drawn from that particular bond, the \$70 Million, used to defray that particular bond and not put into the operating cost of the City to help run the City which is probably running this year as a deficit. It is irresponsible to do anything else. To blame Councilman Givens and Michelle Madoff for the lowering of the bond rating is absolutely an absurdity when you see that Newsweek questions cities such as Boston, Philadelphia, Pittsburgh, Chicago and St. Louis, who are all rated below B's

or low A's. When the Daily Bond Buyer talks about cities that have taken their money and put it in their operating budget, being in violation of law and having some real serious problems. We can't allow this City to get into worse shape than it is, we can't say this Administration isn't going to worry about future generations. And I think it is an absolute disgrace that when any member of Council, whether I agree with that member or not, very frequently I disagree, and I don't want to listen to a disertation, but if Mr. Givens for example, feels that an issue is important, we should have the courtesy to sit and listen and let him get answers from whoever is in the Administration because it is their responsibility to give us, as elected officials, answers. It is inexcusable that the Treasurer, Mr. Schmeiser, was not allowed to answer my question. All I wanted to know was whether that money was going to go into a fund generating interest to help offset the operating cost or whether it was going to be used to pay off the bond. A simple answer would have sufficed, we would not have had to get into a discussion. I think Mr. Stone is in violation of Robert's Rules to begin with, and I don't mean Robert Rade's Rules, because those are his. However, either I am going to get answers one way or I'm going to get them another, and if we want to declare war on Michelle Madoff, that's fine, but I'm going to declare war wherever possible to defend the interest of the public.

**Mr. O'Malley:**

I have a question.

**The Chair:**

First of all, if I may interrupt Mr. O'Malley, Mr. Stone, as Chairman of the Finance Committee rules you out of order, and I believe he knows a little

more about Robert's Rules of Parliamentary law than you do —

**Michelle Madoff:**

I doubt it.

**The Chair:**

As far as Mr. Givens was concerned, Mr. Givens' answers were all given as far as I know, we sat there for almost an hour and a half with Mr. Katz and Mr. Schmeiser, and to be told now that Mr. Givens was shut off, I think is a fallacy and I don't think that should get out in the open where the press should think we did something wrong. They were there fortunately and they realize that isn't the case, and to say it is wrong and you know that Michelle. Those answers were given to Mr. Givens, they were Mr. Givens, weren't they.

**Mr. Givens:**

Well, they were Mr. President, but at the same time —

**Michelle Madoff:**

I wasn't referring to that particular —

**The Chair:**

They may not have been favorable answers, but they were given.

**Michelle Madoff:**

He was treated abusively.

**Mr. Givens:**

Its true, but we go through about four different levels of discussion in this Council, one when it is presented to the Mayor's Council, two, when it comes before this body on a Monday session,

three, when it comes to the Finance session on Wednesday, and four, when it comes back to this final session here on Monday, so we have four opportunities, each of one, any Councilperson, I think, has the opportunity and right to speak out and receive answers or —

**The Chair:**

And you used every opportunity Mr. Givens.

**Mr. Givens:**

Yes, and I had to fight for that opportunity.

**The Chair:**

You can't say you were denied.

**Michelle Madoff:**

Did you hear what he just said? He had to fight for that opportunity.

**Mr. Givens:**

I had to fight for that opportunity and I don't feel that any Councilperson, given proper time frame, and in putting all of the — I had about 15 points of interest, 15 major points that I was trying to bring out in about a 10 minute session; given only about 45 seconds per point and when you get 45 seconds per point on a \$70 Million dollar bond issue and some of the problems —

**The Chair:**

Dick, I don't know how you can say that. There was an hour and a half that those people sat at that table.

**Michelle Madoff:**

I don't care if its five hours.

**The Chair:**

And you questioned them for a hour and a half.

**Mr. Givens:**

I suggest Mr. President, that all members of Council —

**The Chair:**

I don't care if it was 10 hours either, he said he was limited to 45 seconds a question.

**Michelle Madoff:**

He was, and he was stampeded.

**The Chair:**

He was not — look, I don't care to get into that, I think we've played that to death anyway.

**Michelle Madoff:**

That is irrelevant, the issue before us today is very simple.

**Mr. O'Malley:**

I still have a question. The third "Whereas" — "unprecedented interest rates issuing Bonds simply for temporary earnings" — what do you mean by that?

**Michelle Madoff:**

Well, when we borrow the money, I'm assuming at something like 11% and that includes the broker fees and the bond fees and the attorney fees and the advisors fees, I'd like to know whether — very important question, does Mr. Katz get a percentage of the bond? There are a lot of unanswered questions.

**Mr. O'Malley:**

All I am asking is what are "temporary earnings"?

**Michelle Madoff:**

Well, the temporary earnings is the difference between what we get the bond at and what we re-invest it in until we actually pay for the project. Its something like a 5% difference.

**Mr. O'Malley:**

Which means we borrow at 11 and we invest at 8.

**Michelle Madoff:**

Right, and also we are getting that money, until we even invest it, even at a greater use because we're not paying that money out right away; but, that money, as was pointed out the other day, is like your going out and buying a house cash for \$50,000, or paying it over 30 years and paying \$150,000 because you are paying interest, and the argument that, well, its pro-rated over many years, the fact still remains that you've got to pay that kind of dollars. We do it because we don't have the money to pay when we buy homes. It was pointed out that it is something like, I think it was a factor of 200% in difference, than what we are actually borrowing money at.

**Mr. O'Malley:**

I don't think you answered my question, Michelle.

**Michelle Madoff:**

I'm trying.

**Mr. O'Malley:**

My question is are we issuing bonds simply for a temporary earning.

**Michelle Madoff:**

No, I don't think that's what we're doing. I think the intent, or, I'll go back again, I said —

**Mr. O'Malley:**

What do you mean by using the money for temporary earnings?

**Michelle Madoff:**

It is obvious that we cannot go out and bid a contract unless the money is —

**Mr. O'Malley:**

In escrow.

**Michelle Madoff:**

In escrow. However, I am saying, let's not go out and bid on some of the projects, let's go out and bid on \$30 Million or \$40 Million and wait until there is a window, get that money then at a lower rate of interest, and then put them out for bid because it is my gut feeling, and I think I will be proven correct, and I think Mr. Givens did some research on it where he had some specific project, there is no way in this world that we are going to be ready to go.

**Mr. O'Malley:**

Let me ask you a question. If the interest rates went up two or three points, would you take the responsibility for costing the taxpayers additional millions of dollars?

**Michelle Madoff:**

I think that is an excellent question.

**Mr. O'Malley:**

Would you personally take that

responsibility?

**Michelle Madoff:**

No, anymore than I think that anybody is taking the responsibility on this Council, who urged the Administration to go out two years ago, and last year, when rates were much lower for investment.

**Mr. O'Malley:**

Well, isn't it true if the interest rates go down, we can re-borrow and pay off the old bonds?

**Michelle Madoff:**

That's called slug — slug process. The point is —

**Mr. O'Malley:**

Isn't that safer than waiting maybe six months and have the interest rates go up 2 or 3 percent?

**Michelle Madoff:**

I have been — I don't know how much time you have spent with people in the bonding business —

**Mr. O'Malley:**

Just what I learned here.

**Michelle Madoff:**

I have been talking to people who are experts in the field. I have a whole series of questions but I don't even know if Council will sit through and listen to them.

**Mr. O'Malley:**

But what I was saying — isn't it better to be able to go back out and

borrow six months from now at a lower interest rate and pay off these bonds, than maybe wait six months from now and have to borrow at 2 or 3 percent higher?

**Michelle Madoff:**

You can't. The amount that we pay off the penalty would not make it worthwhile, according to the experts I have talked to in the bonding business. They have advised, the people I have talked to and I just — the one thing that I know, if I ever got to be Mayor is, I don't know everything, that I am not the smartest person in the world, but I am smart enough to go to the smartest people and the people I have talked to —

**Mr. O'Malley:**

Well, I think the Caliguiri Administration has brought in very competent people in the bond issue. Very competent, the gentleman I listened to.

**Michelle Madoff:**

The people that I've talked to — I don't know that he is very competent and I don't know that everybody I am going to is very competent, but I am going to a cross-section of people and I'm getting a general feeling from a cross-section of people that we ought to be waiting for a window on half of that bond, in light of the fact that only \$25 Million of that bond is Triple A and the rest I wouldn't touch with a 20 foot pole.

**Mr. O'Malley:**

Well, who would take the responsibility just in case the interest rates went up?

**Michelle Madoff:**



I think it is a gamble worth taking. I also think that it goes beyond — it is the kind of thing that we never spent any time discussing the people's business — it goes beyond this bond issue. There were other untapped sources of revenue in the City that we could have been raising and having money available so that we wouldn't have to be going out on this bond. I mean, somebody has to take the rap for being irresponsible up until now, and your point in saying, "Well, what if it goes to 29%?", then maybe those projects would have to wait. This country is going to go under if our bond rating and our interest rating stays as high as it is, it has got to come down. One way or another its got to come down. I've put my money where my mouth is, I've put my own money into a — locked it in for 6 months, at a fixed rate of 15.9% because I believe it is going to come down, and I don't know that I'm going to lose money, I may be losing it at 17%.

**Mr. O'Malley:**

Isn't that on \$10,000 notes?

**Michelle Madoff:**

Its on more than that.

**Mr. O'Malley:**

Well see, a lot of us don't have \$10,000 to invest Michelle.

**Michelle Madoff:**

Fine, but the public doesn't have it either, and I care about the public, and I'd like to think you do, and I think you do.

**Mr. O'Malley:**

Very much so.

**Mr. Stone:**

Move the question.

**Mr. Givens:**

I'm voting aye Mr. President, and I vote aye because I was going to put similar legislation in myself and I think one has to read the Moody's Report on the financial situation of the City of Pittsburgh to appreciate what this legislation means and all we are asking here is that we are urging the Administration, this Council has within its powers — all within its powers, legislatively, to make this in fact, a part of the legislation that it will be done, and I think the stronger legislation must come forward, other than this urging. I think it must be done. Anything that goes into capital should go back to capital, we can see from our federal government that we have problems in this area and in our Social Security, we have problems with it because we are taking money out of a capital budget and the interest rate on that, we are taking it out of — putting it into the operating budget and spending it in that operating budget. We have funded, in 1981 budget, for the expense cost for 1981 capital budgets and bond issues, otherwise we paid for it. This money that is going in there now is going to be paid, doing other than what we are already paying for in our bond market, our indebtedness that we owe to the City of Pittsburgh. It just deplores me to think at this particular time that the press coverage on this one particular issue of \$70 Million bond, went back on page seven or eight in most of our major newspapers here and television gave it very little coverage. When they talk about a Councilperson taking a trip or making a trip, versus, some \$70 Million — \$137 Million, the taxpayers of the people of the City of Pittsburgh and our Treasurer then says that it is Dick Givens that is responsible, possibly, for

increasing the tax burden on the City of Pittsburgh, I'd just have to be enchained if I were doing that. I think the media here today must look into — and someone with enough of guts must report — give the financial situation as it is in fact. As it is in fact. As reported by members of this Council, and if it is not done, then they are leading the public down the road of destruction.

#### **The Chair:**

As far as how the interest money can be used, I have Solicitor Mulvihill checking it out now as to whether it is legal for us to insist upon or ask the City government to do it that way. Perhaps it is illegal, perhaps it is legal and perhaps there are members of Council who still don't want to do it that way, but I think the first thing we ought to do is find out if it is legal. I don't know if we have the right to tell the Administration as to what they can do with that money or how they can spend it, providing they spend it for useful purposes.

#### **Mr. Givens:**

It is legal, I can tell you this right now. It is legal, Council appropriates, we appropriate and where that money goes and what account we put it in, it is up to us and only us. If the Mayor can spend it, by damn, we have to appropriate it and that is why I am very concerned about that \$70 Million and the \$10 Million that they didn't even tell us about, that they were holding it back. To me that is criminal and fraudulent and I'm going to carry it out. They want me to investigate who it was, fine. I'll get the person who was responsible in the City of Pittsburgh and he'll lose his job, not the Treasurer, that little individual that was going over there to the County and listened to all those cases, that little attorney is going to be the fall guy.

#### **Michelle Madoff:**

In answer to your question Mr. President, I believe that Mr. Lucchino is already doing just that. He is setting aside monies coming in from special funds for special funds. In the Clean Air Act, fines for example, that are taken in in violation of the Clean Air Act, go into a Clean Air Fund and the Dirty Streams Fund, money is taken and it goes into that fund specifically for use in that fund. I don't think there is legally anything to prohibit us from doing it. What I am saying is take the money, if indeed we have to go out for that \$70 Million bond, take those monies, any profit generated from it to pay off that bond which is at a higher rate than the other bonds. That would indicate that indeed we are not just using it as a bail-out for the City.

Now, I just want to make a point, Madoff and Givens have been accused of downgrading the City's bond rating. What about Newsweek? Should Newsweek also be blamed when you read Jane Bryant Quinn's comments on cities such as Pittsburgh and the desirability of their bonds? What is the City's bond and desirability of the bonds? What is the City's bond rating and where has it slipped from? Might the downgrading perhaps have a bit more to do with unfunded pension plans? We could go on and on.

I also want to point out that in, I believe it was, yes it was P.G. Friday, July 3rd, it says, "Chase Manhattan and Marine Midland Banks adjusted their rates to 20.75% from 20%, the rate they charge on loans to stockbrokers and are backed by securities", and it goes on to say that the bond market was very quiet. What are we doing out there all alone in that bond market? Don't you think, Mr. O'Malley, there are other cities that need capital improvements?

That are in trouble? They are not in the bond market when we are. And let's go with as little as possible. That decision now is in the laps of the Administration and you know full well that these reporters sitting here are going to come back next April and May and see what monies were not spent of that \$70 Million. That, of course, will be after the election.

**Mr. O'Malley:**

What you are saying, Michelle, is that you don't want the interest to be used for the General Fund.

**Michelle Madoff:**

That's right, that is all this resolution is addressing at the moment. That is actually to pinpoint the question I asked of Mr. Schmeiser and couldn't get an answer. I am only expressing my feelings about the bond, that I think -- I don't see how we could possibly -- we've never used all the money we have appropriated. Let's not go out for all of it when we are at this high interest rate. This only addresses using this money, putting this interest aside to pay off this particular high rate bond.

**Mr. O'Malley:**

And your feeling is that the interest is going to be used for the General Fund.

**Michelle Madoff:**

That is a matter of rule, it goes in the General Fund, we've always done it that way.

**Mr. O'Malley:**

To keep the City operating, to make payrolls.

**Michelle Madoff:**

Yes, I don't think anyone has denied that privately to me, I've heard that from Schmeiser, from Lynch, from Katz --

**Mr. O'Malley:**

Well, what happens, come November, December and say there is no money in the General Fund and we can't keep the City operating and we can't make payroll, sanitation --

**Michelle Madoff:**

Go on a short term note like we did on the --

**Mr. Givens:**

No, we have a balanced budget. We have a balanced budget.

**Michelle Madoff:**

Go on a short term note as we did previously.

**Mr. O'Malley:**

In other words you are saying, don't use that money and cut the payroll in half and eliminate city services?

**Michelle Madoff:**

No, that's not what I said, no, never -- as a matter of fact I had a bill on zero-based budgeting --

**Mr. O'Malley:**

Well, what happens if in November we run out of money?

**Michelle Madoff:**

Well, we should know before

November, I would hope.

**Mr. O'Malley:**

Well, say, what happens if we run out —

**Michelle Madoff:**

We are obviously running out of money. Let's go out on a short term note, which is a much lower rate of interest and doesn't carry this high penalty, which is redeemable, but more important than that, I think what it will point out, even if we have to use this money, it is obvious we are going to have to use it, I'm saying, let's use this money, put it aside as much as possible to prove that we are not doing that, we are using it as an operating budget, but somebody is going to have to take the responsibility. Somebody —

**The Chair:**

Excuse me a second Michelle. Mr. Mulvihill —

**Michelle Madoff:**

Excuse me, one moment. Somebody is going to have to take the responsibility to start running this City more efficiently and being more innovative. For example —

**The Chair:**

Michelle, can we have a second of Mr. Mulvihill's time, he wants to explain to you the legality of the resolution.

**Michelle Madoff:**

The question that Mr. Givens and I are asking is can you use the term "mandatory" as opposed to "urge" and —

**Mr. Mulvihill:**

My opinion would be that you could not use the word "mandatory", as the resolution is merely a "sense of Council" resolution.

**Michelle Madoff:**

Right, that's what I thought.

**Mr. Mulvihill:**

Which already reflects the City's covenant to extend the proceeds of the bond and the interest in a manner required by law. They are already doing what is required by law.

**Mr. Stone:**

Correct.

**Michelle Madoff:**

There is no question that we are doing what is legally correct, there is no question in my mind. It is a moral question now, it is not a legal question, it is a moral question. The legal question was "mandatory" versus "urging" —

**Mr. Givens:**

Excuse me, I have a question for Mr. Mulvihill, Mr. Mulvihill please. The City of Pittsburgh, back some years ago, took much of the money in the Capital Fund that was going to pay for federal reimbursement and put that particular amount of money and still in that \$70 Million, that is still part of old legislation that we passed when then, I think it was, the Treasurer was Joe Cosetti at the time, so that has to be some four or five, five years ago at least, wherein we approved legislation that in fact, put bond fund money and note money that we received into a special trust. That was going to be reimbursed through the federal government.

**Mr. Mulvihill:**

Yes, Mr. Givens, as I recall, that was when the City needed the initial funds in order to sign the contracts for the construction. They borrowed against the federal grants which were coming in subsequently.

**Mr. Givens:**

Yes.

**Mr. Mulvihill:**

That has been the situation in the past. Now, Mrs. Madoff has here a "sense of Council" resolution which is not mandatory and I have told our bond counsel, I just talked to them on the phone, that the City has sounded to use the proceeds of the sale of bonds and the interest in a manner required by law.

**Michelle Madoff:**

And the manner required by law is exactly what we have always done, which is put it in the General Fund and use it to operate the City and I'm saying —

**Mr. Mulvihill:**

I believe that this is a Debt Service and a Debt Service —

**Michelle Madoff:**

You believe it does — according to my information, it goes into the General Fund which is legal.

**Mr. Givens:**

No. It goes into the General Fund. The Debt Service which was paid off in the 1981 budget, we had already appropriated money, not \$70 Million to be used to pay off that Debt Service.

**Mr. Mulvihill:**

There would be no objection to this money going into the Debt Service Account.

**Michelle Madoff:**

Ah.

**Mr. Givens:**

It can go into any account. The Debt Service is part of the General Fund.

**Michelle Madoff:**

Wait, wait, Mr. Givens, you said that is a decision the Treasurer would have, or Council would have?

**Mr. Mulvihill:**

I would believe that is the Treasurer or the Executive would do that with Council, that is the way to appropriate money — that is a problem for the Executive to deal with —

**Mr. Givens:**

Well, I want a complete legal opinion on this particular resolution for further —

**Mr. Mulvihill:**

You asked a legal question, I was asked to look into this resolution to see whether —

**Michelle Madoff:**

Mandatory.

**Mr. Mulvihill:**

Whether it was a "sense of Council" resolution. It is. I spoke to bond counsel and he assured me that the

company would use the money in the proper manner.

**Mr. Givens:**

Well, let the taxpayers know that the money is going into the General Fund and it is going to be spent in that way, when the bonds become due we are going to have to go out and borrow more money to pay it.

**Mr. Mulvihill:**

I haven't had time to check the Debt Service.

**Michelle Madoff:**

Well, that's the kind of question we should have had answered before we voted on the bond. We should have been asking will this go back to pay debt service.

**Mr. Stone:**

Point of order, we are voting.

**Michelle Madoff:**

Well, we were railroaded in the beginning, at some point we are going to be going out for another bond and we really are not talking about the bond we just issued, we are talking about practices in the future. That's what we're talking about, responsibility of this body.

**Mr. O'Malley:**

I'd just like to say that in light of the fact that the City of Pittsburgh may be short of money towards the end of the year, and even though the interest from the \$70 Million bond issue may be needed to keep essential services in the City of Pittsburgh, and for the payroll for the Police and Fire Departments, for the

benefit of the taxpayers, that I have enough faith in the Caliguiri Administration that they are doing what is in the best interest of the City of Pittsburgh, I am voting no on this resolution.

**Michelle Madoff:**

Mr. President, point of order —

**The Chair:**

Continue the roll call Mr. McCray.

**Mr. Givens:**

Mr. President, no — that is the point —

**The Chair:**

Continue the roll Mr. McCray.

**Michelle Madoff:**

Point of order, I was interrupted, sir.

**The Chair:**

We are voting on the resolution, you had your opportunity to speak, continue the roll.

**Michelle Madoff:**

Mr. President, I was interrupted by Mr. Mulvihill —

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff

Noes:

Mr. O'Malley  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 2

NOES 4

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**The Chair:**

Now, what did you want to comment on?

**Michelle Madoff:**

Mr. President, I was interrupted when Mr. Mulvihill came in so that we wouldn't keep his time, and the answer to the question that Mr. O'Malley asked and I never had a chance to answer before he made a statement; everybody knows that we don't even have enough people in the City to do the services, nobody wants to cut back on personnel, but there is uncapped thousands and thousands of dollars available in this City being -- I don't want to use a vulgar word, but, just, I don't want to even say it --

**The Chair:**

You've used it before, go ahead, use it.

**Michelle Madoff:**

P-O-ed away, and that is

obviously because somebody hasn't done their job in this Administration. We have 10 policemen that could be out on the street when we passed the bill on burglar alarms, that's \$200,000; we have -- if we only sell 4,000 pieces of property that the City has, that is \$4 Million, that is at the base, lowest possible rate, it would probably be something like \$12 Million. That would cover the monies that Mr. O'Malley is concerned about, paying our bills for the end of the year.

**Michelle Madoff:**

Mr. President, there is a very important item that Council hasn't covered, it's a quickie. We've been getting a lot of calls at our office about garbage not being picked up for three weeks at a time. Could I ask the Clerk to have somebody from that department to explain at a post agenda why that is happening.

**Mr. O'Malley:**

I second that motion.

Which motion prevailed.

**Mr. Woods** moved to excuse Mrs. Masloff and Mr. Flaherty for absence from this meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

JULY 13, 1981

No. 28

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAE**...Asst City Clerk

Pittsburgh, PA  
Monday, July 13, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Flaherty presented**

No. 3470 Resolution repealing Item (E) of Resolution No. 291, approved 3/26/81, for the sale of a 2 story brick house on 77 Reed Street in the 3rd Ward;

B & L #11-A-38, to Kenneth R. Mooney for the sum of \$2,000.00. Resolution is to repeal sale and return hand money.

Also,

No. 3471 Resolution providing for the filing of a petition or petitions for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were read and referred to the Committee on Lands and Buildings.

**Michelle Madoff for Mr. Givens presented**

No. 3472 Resolution adopting Official Sewage Facilities Revision for Parkway Center Mall Development.

Which was read and referred to the Committee on Public Works.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 3473 Resolution providing for the issuance of a warrant in favor of Philip S. Wiener, Inc., in the amount of \$294.00 for the rental of two typewriters

furnished for the benefit of the City without previous authority of law, and providing for the payment thereof.

Also,

No. 3474 Resolution providing for the issuance of a warrant in favor of Jim McKain, Inc., in the amount of \$2,535.28 for the rental of a Van for Bridge Division Personnel furnished without previous authority of law and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 3475 Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, as amended by Resolution No. 539, approved June 1, 1981, effective June 10, 1981, entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program," by transferring a project allocation line item from the Department of Supplies to a new project line item created in the Department of Public Works.

Also,

No. 3476 Resolution providing for an Agreement/s with a Consultant/s for Professional Engineering Services in connection with Street Lighting Design for the Central Business District; at a cost not to exceed \$40,000.00, chargeable to and payable from Code Account No. PW 81-38, 4-01-35-0003-81, Engineering Service Contracts, Department of Public Works.

Also,

No. 3477 Resolution providing for a contract/s or to use existing contracts for Traffic Signal Equipment Installation and Removal at various locations and providing for the payment which is not to exceed \$200.00 payable from PW 81-23.

Also,

No. 3478 Resolution providing for the purchase from the Croation Commisariat of the Third Order of St. Francis, Inc., for steps for public purposes, certain property at 5300 McCandless Street in the 10th Ward of the City of Pittsburgh at a cost not to exceed \$2,000.00, payable from PW 81-39.

Also,

No. 3479 Resolution vacating a portion of Indus Street from a point one hundred (100') feet east of Edington Street, to a point two hundred sixty (260') feet east of Edington Street in the 15th Ward of the City of Pittsburgh, excepting and reserving the fifteen (15') inch sewerline located therein.

Also,

No. 3480 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$1,211.07 to Consolidated Rail Corporation for use of flagmen in connection with inspection of bridges.

Also,

No. 3481 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$51,067.00 to Dick Corporation for extra and alternate work in connection with asphalt plant.

Which were severally read and referred

to the Committee on Public Works.

**Michelle Madoff presented**

No. 3482 Resolution providing for a contract/s for replacement of the 12" Main in South 30th Street, between Josephine and Mary Streets, at a cost not to exceed \$50,000.00, chargeable to and payable from 1981 Community Development Unspecified Local Option Grant Funds (4-40-15-1030-81-905-81-05).

Which was read and referred to the Committee on Water.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 3483 Resolution repealing Resolution No. 436, approved May 16, 1979, effective May 21, 1979, entitled, providing for the furnishing and delivery of Six (6) Paving Breakers at a cost not to exceed \$4,500.00, Code Account No. 1706, Equipment, Department of Water.

Also,

No. 3484 Resolution repealing Resolution No. 741, approved August 15, 1979, effective August 20, 1979, entitled, furnish and deliver four (4) sedans, less trade-ins, cost not to exceed \$22,000.00, Code Account No. 1706, Equipment, Department of Water.

Also,

No. 3485 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$254.09, for two Chlorine Evaporator Temperature Controls, payable from Code Account No. 1701, Miscellaneous Services, Department of Water.

Also,

No. 3486 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$395.00 for Kynor Coating of Ferric Chloride Bin at Water Treatment Plant to be payable from Code Account No. 1701, Miscellaneous Services, Department of Water.

Also,

No. 3487 Communication from Richard M. Cosentino, Director, Department of Water, requesting permission to attend Water Works Operator's Association of Pennsylvania Annual Conference at University Park, PA, August 3-5, 1981, at a cost not to exceed \$275.00, payable from Code Account No. 1701, Miscellaneous Services, Administration Division, Department of Water.

Which were severally read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 3488 Resolution authorizing the issuance of a warrant in favor of Harmon Lumber and Supply Company in the amount of \$17,506.00 in payment for work performed at the Pittsburgh Symphony Summer Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 3489 Resolution authorizing the issuance of a warrant in favor of Tedco Construction Company in the amount of \$64,000.00 in payment for structural work in connection with the Symphony Summer Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 3490 Resolution authorizing the issuance of a warrant in favor of Ferdinand Palombo Landscape in the amount of \$400.00 in payment for extra work performed in connection with the South Side Park Improvements, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3491 Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the Special Summer Food Service Program Project; providing for the execution of Grant Contracts; and for the filing of requisitions and other data; approving the Project; providing for required assurances; providing for execution of payment vouchers.

Also,

No. 3492 Resolution providing for the letting of a contract/s for purchase of Food Vendor Services and administrative costs for the Special Food Service Program for children from funds provided by the Commonwealth of

Pennsylvania, Department of Education.

Also,

No. 3493 Resolution providing for the letting of a contract/s or the use of existing contracts for the construction of the Pittsburgh Zoo; and providing for the payment of the cost thereof, \$4,000,000.00.

Also,

No. 3494 Resolution providing for the letting of a contract/s or use of existing contracts for the construction of Nortgate Swimming Pool & Bathhouse; and providing for the payment of the cost thereof, \$550,000.00.

Also,

No. 3495 Resolution providing for the letting of a contract/s or use of existing contracts for the construction of Various Ballfields including Vanucci, Alton, Magee and Quarry and providing for the payment of the cost thereof, \$1,000.00.

Also,

No. 3496 Resolution providing for the letting of a contract/s or use of existing contracts for the Renovation of the Frick Park Divisional Building and providing for the payment of the cost thereof, \$54,635.00.

Also,

No. 3497 Resolution providing for the letting of a contract/s or the use of existing contracts for the construction of Walks at Allegheny Center, and providing for the payment of costs thereof, \$125,000.00.

Also,

No. 3498 Resolution providing for an Agreement/s or use of existing Agreements for professional services in connection with the Development Friendship Park; and providing for the payment of the cost thereof, \$12,000.00.

Also,

No. 3499 Resolution amending Resolution No. 205, effective March 6, 1981, entitled: "Providing for a contract/s or use of existing contracts for Engineering Services within the Department of Parks and Recreation; and providing for the payment of the cost thereof", by clarifying the uses of the contracts (\$10,000.00 from PR81-26).

Also,

No. 3500 Resolution amending Resolution No. 810, effective August 19, 1977 entitled "Providing for a cooperation agreement with the Housing Authority of the City of Pittsburgh for the architectural and engineering design for proposed renovation of a multi-service building at 930 Cresswell Street, St. Clair Village and providing for the payment thereof," by increasing the authorization of \$51,989.38."

Also,

No. 3501 Resolution amending Resolution No. 561, effective May 30, 1978, entitled, "Providing for a cooperation agreement with the Housing Authority of the City of Pittsburgh for the Renovation of 930 Cresswell Street, St. Clair Village, PA1-7 for use as a Multi-Service Building and providing for the payment of the cost thereof," by decreasing the allocation to \$393,010.62.

Also,

No. 3502 Resolution further amending Resolution No. 1229, as

amended, adopting the 1980 Capital Budget by providing for appropriation of \$550,000.00 for PR-80-05, Northgate, Design and Construct New Pool, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 3503 Resolution providing for the issuance of a warrant in favor of the Air & Power Service Co., 136 Three Degree Road, Pittsburgh, PA 15237, in the amount of \$547.50 in payment for repairs to air conditioner and motor, furnished for the benefit of the City and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

#### **Mr. Robinson presented**

No. 3504 Resolution providing for the election by the City of Pittsburgh to enforce the provisions of the Pennsylvania Act of December 15, 1980 (No. 222) known as the "Building Energy Conservation Act".

Also,

No. 3505 Resolution providing for an Agreement/s with Ralph Alster for a design including the South Craig Street commercial area and the residential streets of Halket, Coltart and Louisa to implement the street beautification recommendations of the Oakland Plan, at a cost not to exceed \$20,000.00, payable from the 1980 Community Development Block Grant Program Trust Fund (CP 80-04).

Which were read and referred to the

Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 3506 Communication from R. Douglas Long, Director, David L. Lawrence Convention Center, submitting the proposed budget for the fiscal year July 1, 1981 - June 30, 1982.

Also,

No. 3507 Communication from John E. McGrady, Controller, submitting the Annual Report of the City of Pittsburgh for the year ending December 31, 1980.

Which were read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 3508 Resolution providing for the letting of a contract/s or use of existing contracts for the furnishing and delivery of approximately one emergency ambulance for the Department of Emergency Medical services, at a cost not to exceed \$45,000.00 and chargeable to the Emergency Medical Services Equipment Project Trust Fund, Code Account No. EPTF.

Also,

No. 3509 Resolution providing for the letting of a contract/s for the furnishing and delivery of motorized fire equipment for the Department of Supplies, the cost of which is not to exceed \$819,575.00, chargeable to and payable from Capital Project Fund SD 80-02, Fire Department Pump and Ladder Trucks - \$94,575.00, and Capital Project Fund SD 81-02, Fire Department Pump and Ladder Trucks - \$725,000.00.

Which were read and referred to the Committee on Supplies.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 3510

Report of the Committee on Finance for July 8, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3382

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Thermoflo Equipment Company, Inc., in an amount not to exceed \$827.15 in payment for emergency repairs furnished for the benefit of the City in connection with the hot water system at the Aviary and providing for the payment thereof."

Which was read.

Also,

Bill No. 3383

Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Rea Construction Company, Inc., in the amount of \$6,200.00 and A. R. Scalise, Inc., in the amount of \$450.00 totalling in the aggregate of \$6,650.00 in payment for extra work performed for the benefit of the city in connection with the construction of No. 22 Fire Station, Arlington Avenue; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3392

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dominic Nicassio, Inc., in the amount of Eighteen Thousand One Hundred Sixty Two Dollars and Forty Cents (\$18,162.40) in payment for 'Extra Work' furnished for the benefit of the City in connection with the Storm Sewer Reconstruction on Pringle Street; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3393

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of J-Jac Construction Company, in the amount of Twenty Five Thousand Seven Hundred Ninety Two (\$25,792.00) Dollars in payment for 'Extra Work' furnished for the benefit of the City in connection with the repaving and widening of Fifth Avenue from S. Bouquet to Bellefield Avenue; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods

AYES 7 NOES none  
(MR. DE PASQUALE ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3394

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Atwood and Bates Construction Company, in the amount of Four Thousand Nine Hundred Ninety Six Dollars and Ninety Six Cents (\$4,996.96) in payment for the reconstruction of Forward/Murray and Pocusset Street Intersection; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3395

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Golden Triangle Construction Company, in the amount of Eighteen Thousand Nine Hundred Twenty Seven Dollars and Fifty Five Cents (\$18,927.55) in payment for 'Additional Work' furnished for the benefit of the City in connection with grading, paving and curbing of Benton Avenue; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3416

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Data Terminal Leasing Company in an amount not to exceed \$860.00 for the rental of Data Processing Terminals in connection with the operation of an automated Accounting and Reporting System for Capital Funds and Community Development Funds."

Which was read.

**The Chair:**

Is there any discussion on the

bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3417

Resolution entitled, "Resolution amending Resolution No. 487, approved May 18, 1981, effective May 22, 1981, entitled, 'Temporarily transferring the sum of One Hundred Fifty-Seven Thousand Dollars (\$157,000.00) from Unrestricted Cash, Department of Public Works, to Unrestricted Cash, Department of City Treasurer,' by increasing the temporary transfer to One Hundred Sixty-Two Thousand Dollars (\$162,000.00)."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:



Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3420

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Pak-Mor Corporation in the amount of \$3,068.45 for emergency repair parts to City vehicles furnished without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Flaherty for Mr. Givens presented**

Bill No. 3511

Report of the Committee on Public Works for July 8, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE**  
recommendation,

Bill No. 3391

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601, Public Order, Section 601.11, Littering and Dumping, by specifically including public greenways and by revising the penalties for violation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Michelle Madoff:**

Mr. President, I think you put it better than anyone else the other day, What's the point of going to a \$2,000 fine if no one is enforcing the law? I think what we are doing by raising the penalty is misleading the public into believing that this Council is doing something by raising the penalty; the next bill we'll raise it to \$5,000, but we are really not enforcing the law. It gets back to, laws without enforcement are an exercise in futility. What we ought to be talking about is how can we enforce these laws. We see the pickets outside at the County Office Building today and I pointed out to them as I came in that there are less

people cleaning in this building today, and that is a matter of documented record, than there were when Pete Flaherty had his massacre and fired all the little old ladies. You can't do it, you can't put people through Xerox machines, you can't clean the building unless you have people, you cannot get people to clean up the streets unless you have some kind of enforcement and a commitment to enforcement. The day we take a radio away from some kid on the street, as they do in, I believe, Boston and some of the other cities, and he gets a slip to get it back the second time because it is blaring and bothering everybody else, the day somebody gets a notice saying, You are in violation, and it is a warning, a warning notice, because they litter, and the police think it is important and the Chamber thinks it is important, that is the day things are going to start happening. Raising penalties are not the issue. I mean this is just misleading the public to say, Oh, Council really cares, we are doing something. If we really care, let's start some enforcement action.

#### **The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. O'Malley  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

Noes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. Robinson

AYES 4

NOES 4

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

#### **Michelle Madoff:**

Mr. DePasquale, just for the record, when I talked about radios, I don't want to deprive some child who has worked very hard, or youngster, to buy a radio because he blares with that radio, but I think if a warning went out, saying that is sort of a noise litter, the first time, he would get it back, he would have to make the trip down to get it back, and the second time, and I would like to introduce an ordinance to that effect, the second time he would lose it and it is being done in every other city. They have people riding the buses, because people are eating pizzas and putting them down on the seats. It is time somebody did that -- they have cleaned up other cities, why are we so different? Are Pittsburghers pigs and other people are not? I don't believe that. We just need to show that we mean business.

#### **The Chair:**

I'll go along if you'll include pipes. I hate pipe smokers.

#### **Mr. Stone:**

Mr. President, I am at a loss -- you know, I let the first remark go and I just can't let this one go. We are talking about getting down to business -- when you are filing an action against someone and it is nominal dollars in penalty, a hundred or two, to some people, it means

nothing. You put a thousand dollars there and you put a little edge to it, if someone sees they are liable to get hit for a thousand dollars, that is obviously going to make an impression upon their mind and if we do the next step, which is to get some enforcement of it, then it seems to me you are in the ballpark of doing the exact thing that the last speaker said she would like to have done but doesn't understand is being done. I think that this is in the right direction, just because you don't get all the marbles together at one time doesn't mean you don't pass it and maybe there is some confusion on this, but as I see it, raising the fine is in the right direction in trying to accomplish a clean-up in the City of Pittsburgh.

**Michelle Madoff:**

Mr. President, I must respond to that. Mr. Stone, I believe, was on Council long before I got here; numerous bills have been introduced, numerous articles had been written by Barbara Cloud and other people in this City talking about the filth of this City. I don't know where my colleague feels at this point in time that I don't understand, some of us don't understand because, of course, we are not too bright, but he is the only one who understands. You stated it. He didn't chastise you for saying, What difference does it make if it is a thousand dollars, we don't enforce it, but he is chastising me and I think that puts everything in perspective. When you deal with a male chauvinist you deal with a male chauvinist.

**The Chair:**

I voted for it Michelle.

**Michelle Madoff:**

Yes I know, but you also spoke against it. You spoke against it and you

said, "What difference does it make if its a thousand or two thousand, we are not enforcing it anyway?" I don't really care whether we vote for the thousand or not, I would agree that if we ever got enforcement at all, any attempt to enforce, it is my belief that people who are on welfare, and people who don't — to me, a hundred dollars is a lot of money and I'm not on welfare. I'm in, probably the upper 5% of this country in income, but to me a hundred dollars is a lot of money. If I got fined a hundred dollars for littering I would watch it the next time, you don't need a thousand dollars. Let's get some enforcement.

**The Chair:**

Its something we can never prove Michelle, something like the argument of capital punishment or life imprisonment — will capital punishment deter murderers? I don't know, I can't say and I don't think anybody else can. Then again, some people say it does, I don't know.

**Michelle Madoff:**

Well, the only thing it does is it keeps the person who killed before from killing again.

Also, with an **AFFIRMATIVE**  
recommendation,

Bill No. 3396

Resolution entitled, "Resolution accepting the dedication of property on the northern side of Craft Avenue between the Boulevard of the Allies and Forbes Avenue, for a street widening and public purposes, in the 4th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3397

Resolution entitled, "Resolution vacating the 15' Unnamed Way, between Beelen Street and Fifth Avenue (in the 2500 block of Fifth Avenue) in the 4th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3398

Resolution entitled, "Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 19, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, as amended by Resolution No. 539, approved June 1, 1981, effective June 10, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program' by redefining the funding sources."

Which was read.

Also,

Bill No. 3399

Resolution entitled, "Resolution amending Resolution No. 317, approved April 18, 1981, effective April 25, 1980, entitled, 'Providing for a Contract or Contracts for Street Improvements to implement the Lower Northside Traffic Plan (PW 80-21); and providing for the payment of costs thereof', by increasing the total project allocation by Two Hundred Thousand (\$200,000.00) Dollars."

Which was read.

Also,

Bill No. 3400

Resolution entitled, "Resolution amending Resolution No. 552, approved June 1, 1981, effective June 10, 1981, entitled, 'Providing for the purchase, in settlement of condemnation, of a portion of property located in Lot and Block Number 9-A-162, the south side of Madison Avenue at River Road in the 23rd Ward of the City of Pittsburgh, for \$2,500.00 (Twenty-Five Hundred Dollars) plus proper closing expenses; and providing for the payment thereof', by amending the allocation and redefining the funding source."

Which was read.

Also,

Bill No. 3401

Resolution entitled, "Resolution amending Resolution No. 553, approved June 1, 1981, effective June 10, 1981, entitled, 'Providing for the purchase, in settlement of condemnation, of a portion of property located in Lot and Block Number 7-F-107, at the intersection of Chateau Street and Ridge Avenue in the 21st Ward of the City of Pittsburgh, for \$1,250.00 (Twelve Hundred Fifty Dollars) plus proper closing expenses; and providing for the payment thereof', by amending the allocation and redefining the funding source."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Mr. Robinson presented

Bill No. 3512

Report of the Committee on Planning, Housing and Development for July 8, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with a NEGATIVE  
recommendation,

Bill No. 3118

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) A 43 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for use of the existing dwelling unit located at 5412 Beacon Street by Carol A. Golden, as a Group Residence Facility for four mentally retarded children under 18 years of age, with supervision on property zoned 'R2' Two-Family Residence District and identified as Block 87-A, Lot No. 5 in the Allegheny County Block and Lot System, 14th Ward."

Which was read.

#### The Chair:

Is there any discussion on the bill?

#### Michelle Madoff:

Yes Mr. President, I would like my comments brought forward from Wednesday, but to summarize, this Council led the battle to open up group homes because of the big battle that took place in the Point Breeze area. We felt that many of us may have somebody dear to us that we would feel responsible for, we must be each other's keeper, and we did open up — and if you look at the record it will reflect that I personally pushed and pushed and condemned the Administration for not going into our 1 and our 2 zones. The Mayor at that point chose not to act, to let Council act, and he didn't veto it and it passed because we did the work in this Council, and for the media or anybody to be — I don't think the media has chastised us but I saw an editorial on one of the television stations asking us to reconsider. The issue is not that we do not want a group home in Squirrel Hill, the issue is not that there are — and I would point out that there are many, many houses for sale and I believe this Council would support another location, the issue is simply that it is a half-of-a-double, and it impinges on someone else's privacy; furthermore, the legal opinion we received today said we would have to change the zoning and amend the Zoning Code. I have volunteered personally to do whatever I could to find another location and I still stand by that promise. I have often — although I am a member of the Squirrel Hill Coalition, I have often voted against things that the Squirrel Hill Coalition may want. I vote for what I believe is right, I vote my conscience. In this particular instance it isn't the only space available. Space is not tight in Squirrel Hill. Everywhere you go there are homes for sale, everywhere. We could have another place and I think this Council will vote for a group home.

#### MICHELLE MADOFF'S COMMENTS ON

**BILL NO. 3118 FROM THE MEETING OF  
WEDNESDAY, JULY 8, 1981:**

**Michelle Madoff:**

I probably would like to remind Councilman Flaherty of something he may or may not know, that I was probably one of the strongest proponents of having group homes in R1 and R2 areas, so this Council has acted reasonably, and if you will look around the Squirrel Hill area and other areas of the city, you will see tremendous numbers of vacant homes available. My only objection to this home, and I certainly support group homes, is that we have tremendous numbers of houses for sale, half the double is not where you put any kind of a group home, that is my only objection, it being a half-of-a-double. I vote no, of course.

**END - MICHELLE MADOFF'S  
COMMENTS, 7/8/81.**

**Mr. Woods:**

Mr. President, I would like to make a comment on this bill. You have all received the communication stating my position and urging the passage of this bill. The only issue that Council rightfully considers is whether or not to grant a Conditional Use to the Beacon Street site for a group home. With all due respect to the residents of Beacon Street and the Members of Council who will vote in opposition to this home, I will vote in favor of the granting of this Conditional Use permit.

In passing the amendment to the Zoning Code which admitted group homes in all City neighborhoods, Council demonstrated wisdom by requiring approval of all county and state licensing agencies, thereby leaving the decisions concerning health and safety to professionals in these areas. It is in my

opinion, unwise retreat from this position in assuming the role of a licensing agency, we must remember that the four mentally retarded children that this proposal seeks to benefit, and they are really the bottom line — we are not approving an institution here, this is a proposal for a group home, these four children should be given the opportunity for community living experience. 1981 has been designated the International Year of the Handicapped to raise the public awareness to the problems of the people less fortunate than ourselves. A comment has been made in this Year of the Handicapped to demonstrate that we need not segregate the mentally retarded by confining them to institutions. We must not, and this Council should not perpetrate the myth that mentally retarded children have no place in our communities. Prejudice cannot be ended by legislation, but the position of this Council has been to rise above prejudice and open our neighborhoods to group homes.

I therefore urge the Members of Council to act with compassion and approve this bill.

**Michelle Madoff:**

Mr. President, in response, if I may — I don't think you were listening very carefully Mr. Woods, this Council opened up our 1 and our 2 zones that were never available to any group homes. We have compassion and we care and we care a great deal and I think it is unfair to even have a member of our group say — and especially a new member, say that we don't care. That is a clear implication. We will go out and we will vote for another group home in this area providing it is not half-a-double.

**Mr. Flaherty:**

I have a comment in regard to that. Granted, we have said that group homes can go in R1 and R2 areas, it is about time we put one in an R1 or an R2 area.

**Michelle Madoff:**

I couldn't agree more. Let's do it, but not there.

**Mr. Woods:**

Mr. Chairman, Michelle Madoff's comment about me being new on Council, that is true, but I have every damn voting right that she has and everybody else that sits on this Council. I just told you how I am going to vote and I made my comments, whether Michelle Madoff likes it or not.

**Michelle Madoff:**

Mr. Woods, I don't care how you vote, that is your conscience and I presume you vote your conscience, I just wanted to point out that this Council does care and you implied that we didn't and I just wanted to straighten that out. I think that when I got to Council there were many bills on litter that I didn't know had been introduced and I introduced new bills as you are introducing bills. I had to learn that other things had happened before I got here and I tried to educate myself and to learn. I think you are doing the same thing, it was not a criticism of you, it was pointing out that what you said was chastising this body, I think it was unfair and I just responded to that, not to you as a person.

**The Chair:**

The worst thing I think we can do on City Council is make an emotional issue of anything. I think that, obviously, it is on record that every Councilmember

here has concern and pity for every person of that type, retarded, crippled or what have you. To bring that up is sort of ludicrous, but what concerns me mostly is that the sponsor of the bill isn't even here to vote on it and he made the longest speech the other day about how heartless we were going to be if we voted against it. But that is something else.

**Mr. O'Malley:**

I would just like to make a comment. I think that this Council would vote 9 - 0 to put a group home in R1 and R2 zoning, I don't think there is any question about it, but it is just my comment here that if Mrs. Golden lived in the other half of the double, then I might be inclined to vote for it but I don't think it is right and under the opinion that we got from the Law Department, Mr. Mulvihill, it states that if Council senses to waive the set-back area or other dimensional requirements, we must take into consideration that the proposed use will be injurious to the use and enjoyment to other property owners and I don't doubt that this would be an inconvenience to the people who live in the other half of the double. That is the only reason that I am voting against it, and if somebody would bring a group home before this Council I would lead the fight to approve it, but I don't think there would be any fight, I think it would be unanimous.

**Mr. Woods:**

I would like to make one more comment Mr. President. I think that the four mentally retarded children that are going to be supervised 24 hours a day are going to be a much lesser problem than if four children moved in there, so called "normal" children, that are probably only supervised one-third or half the time of the day.

**Mr. Flaherty:**

I concur wholeheartedly with Councilman Woods on that and I also want my comments included from the Committee meeting on Wednesday.

**MR. FLAHERTY'S COMMENTS ON BILL NO. 3118 FROM THE MEETING OF WEDNESDAY, JULY 8, 1981:**

**Mr. Flaherty:**

Aye, and I would want to explain also, why I am supporting this, because I believe that the site in front of us is consistent with Council's Group Home Ordinance. I believe that the mentally retarded have the right to reside in a home such as people who are not mentally retarded. I don't believe in the hearing that there was any support showing that because a person is mentally retarded that they could not go up and down a steep driveway, especially if they have support. We are only talking about four children and there will always be two grown adults to assist them. I don't think there is any support showing that because a person is mentally retarded that they are as loud as people that are not mentally retarded, in fact, they may be even be more quiet. Also, if Council is to give the zoning change on this site, it still has to meet very stringent requirements from the state and I believe very strongly that this Council has to show a commitment to the mentally retarded, especially in comparison to other areas of the city that are showing more than a commitment for supporting people in our society that have problems and I believe that its about time that this Council show a commitment and people of the area where this house is also.

**END - MR. FLAHERTY'S COMMENTS, 7/8/81.**

**Mr. O'Malley:**

Please bring my comments forward also.

**MR. O'MALLEY'S COMMENTS ON BILL NO. 3118 FROM THE MEETING OF WEDNESDAY, JULY 8, 1981:**

**Mr. O'Malley:**

I think this Council is always showing a concern for the handicapped and on this particular residence, I don't believe that half-of-a-double is an appropriate place for the home. If Ms. Golden lived on the other side of the double, then I would say yes, but since she doesn't — I don't think anybody has the right to impose this on a neighbor, especially half-of-a-double, therefore I vote no.

**END - MR. O'MALLEY'S COMMENTS, 7/8/81.**

**The Chair:**

Why are they resisting so fiercely to find another site? It strikes me that nobody is looking for another site or wants another site. They are determined that it has to be that site and no other site.

**Mr. Woods:**

I would like to say one other thing and I will close with this. If we do not pass this, I think we are setting a precedent that from here on in there will be no double homes considered at all. We can never consider them again unless we pass it. Is that right?

**Michelle Madoff:**

That is correct.

**The Chair:**



It's not the proper place for a home.

**Michelle Madoff:**

Mr. O'Malley, are you and I going to introduce that bill?

**Mr. O'Malley:**

I'll co-sponsor if you introduce it.

**Michelle Madoff:**

I'd be very happy to introduce a bill that we don't have it in half-a-double. Be happy to put that in and make it a part of the existing law.

**The Chair:**

You know, maybe it is an analogy and maybe it isn't, but we've got the Convention Center down here and I'm making a prediction that in about six months they are going to close it up for the simple reason that it is a mini-convention center and we can't get the conventions in there and we knew that when we built the darn thing, but everyone was saying, At least it is a convention center. And I was pro-convention center ten or eleven years ago with all the prime pushers in the City of Pittsburgh, but I did state that a small convention center, a mini-convention center wasn't going to be the answer and when we close that up in about five or six months everyone is going to say, What happened? These are the things you run into, I mean, if you have a home like that in that area you are going to have nothing but problems and we know it and they would probably close it up in about five or six months anyway. When they go down the road a piece they are going to find another location, a better location, much better facilities and everybody is going to be the happier for it.

**Michelle Madoff:**

Mr. President, could you give us some guidance please? Do we have a department — does our Lands and Buildings, and I'm not sure, one of our other departments, Mr. Brophy or Mr. Evers — could they assist in some way in locating a property? That would be a positive action on the part of this Council and right smack in the middle of the 14th Ward, or next door to me, they can buy my house they can have it, and whatever they want to do. I don't think it is a matter that any of us, as Mr. O'Malley said, that we are opposed to setting a precedent, we set the precedent when we opened up the whole system to R1 and R2's and I think that is what speaks the loudest.

**Mr. Stone:**

Mr. President, if I may, I think that the comments that Mr. Woods has made are in line with the philosophy that this Council has adopted and I think it is admirable that we all understand that portion of it. There is a place in this community for group residences and I think we all ought to understand that. Relative to the comment of my brother Councilman Mr. O'Malley, respectfully, I would just like to differ on one comment if I may, and that is the matter of bringing into name Carol Golden. If we are at this time to take to task those people who are proponents of group residences, then we are going to lose that thrust, that desire and those dedicated people who want to do something along these lines. I don't think that he intended it to be kind of a derogatory remark, but I would just like to clear the air that that was not the intent and that she not be chastised for attempting to do it. I think, however, in the application, because this Council has adopted the proper philosophy in my opinion, that the residence intended

here, in a factual issue, does not come up to the kind of standard that ought to be for a group resident home. The best way for a group resident home to function and to properly succeed, if it has the best circumstances for success, I personally don't see that prevalent here and I think that each building will have its own little bit of uniqueness, whether it be a double or whether it be a single. But I think that it lies in this issue today, as to whether that particular unit gives to those occupants, whether they be handicapped children or anything else, under a group residence, a golden opportunity for the future. I think we should give them a good foundation from which they can succeed rather than starting with something less than what might be considered ordinary standards, acceptable standards, so that they envision and have problems in the future. The objection to a duplex is that they are so close together that the person next door would tend to have problems and be calling on the phone, saying, This is this and, This is that, you are always having complaints. That is not the best circumstance and that is the circumstance under which I am voting here today. I would just like that understood, but I don't want it to be diminished at this Council as the right philosophy relative to group residence.

**Mr. O'Malley:**

I just want to mention that the comment about Ms. Golden was not meant to chastise her, if anyone took it in that way then I apologize to Ms. Golden. In fact, I comment her for her courage and dedication that she has shown for mentally retarded children. It is just my concern as to why it is in this location and if Ms. Golden will need help or any support in finding another home, I would be the first one to help her.

**Michelle Madoff:**

Mr. President, just very quickly -- I asked you a question, you answered in the affirmative, that yes, we have, or we can ask somebody else, meaning Mr. Brophy or Mr. Evers, you did not say who. Could we have it as part of this motion? Is this appropriate? I don't know what the protocol is, to see that it is the will of this Council that another location be found with aid from the City. Would that be an appropriate motion, or should we vote on this and then make it as a motion?

**The Chair:**

We take the resolution first.

**Michelle Madoff:**

I would like to make that as a motion that this Council -- that we vote to have one of the department heads --

**Mr. Stone:**

We have to take the bill before us first.

**The Chair:**

Let's vote on the bill first.

**Michelle Madoff:**

When we are through with this vote?

**The Chair:**

After the vote. We've got to vote on the bill itself.

**Michelle Madoff:**

Allright, but I thought -- we don't want to wait until after the meeting when we are off the subject, that's all.

**Mr. Stone:**

That's a good idea.

**Michelle Madoff:**

Well, you'll be gone by then anyway, its a very good idea.

**Mr. Stone:**

We get enough of dialogue at our regular meeting, we don't need anymore.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Robinson  
Mr. Woods

Noes:

Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 3

NOES 5

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**The Chair:**

I would like my remarks on Bill No. 3118 included in the minutes.

**MR. DE PASQUALE'S REMARKS ON  
BILL NO. 3118 FROM THE MEETING OF**

**WEDNESDAY, JULY 8, 1981:**

**Mr. DePasquale:**

Commitment to the handicapped has no bearing on the vote. I just think the site isn't suitable or large enough, so I am voting no.

**END - MR. DE PASQUALE'S  
COMMENTS, 7/8/81.**

**Michelle Madoff:**

Mr. President, would it be appropriate that we might make a motion that this Council urge the Administration or whatever appropriate department to go out and help find a location, with this group looking for it, so we can quickly move on this bill. We did that with the Women's Shelter, let's do it for this. That is my motion. Would anybody care to second that?

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also, with an **AFFIRMATIVE**  
recommendation,

Bill No. 3205

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning, Article V, Regulations applicable to all Districts, Chapter 987, Signs, by providing updated regulation of signs which shall govern and control the erection, rehabilitation, enlargement, illumination, animation and maintenance of all signs."

Which was read.

Also,

Bill No. 3405  
Resolution entitled, "Resolution

providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 316-18 W. North Avenue, Block and Lot 23-P-38, in the Mexican War Streets, Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 3406

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1226 Buena Vista Street, Block and Lot 23-J-308, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 3407

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 27 Market Square, Block and Lot 1-D-132, in the Market Square Historic District in the 1st Ward."

Which was read.

Also,

Bill No. 3408

Resolution entitled, "Resolution amending Resolution No. 434, effective May 8, 1981, entitled, 'Providing for an Agreement or Agreements with the Uptown Little League for construction of an Auxiliary Recreation Facility' so as to add the Project Code No. 4-40-05-0777-80-921-80-35."

Which was read.

Also,

Bill No. 3409

Resolution entitled, "Resolution amending Resolution No. 537, effective June 10, 1981, entitled, 'Transferring 1979 and 1980 Community Development Block Grant Funds to the General Fund of the City of Pittsburgh for reimbursement of salaries, wages and fringe benefits paid to employees in support of the City's Community Development Block Grant Program' so as to correct the present project code from 4-35-01-0001-79-49-75-35 to 4-35-01-0001-79-49-79-35."

Which was read.

Also,

Bill No. 3410

Resolution entitled, "Resolution providing for authorization and transfer of funds to the 1981 General Fund of the City of Pittsburgh for reimbursement of indirect cost for the Community Development Block Grant Program and for authorization to enter into an Agreement or Agreements with Arthur Young for professional services in connection with the development of the indirect cost schedule and providing for the payment of the cost thereof, and repealing Resolution No. 541, effective June 10, 1981."

Which was read.

Also,

Bill No. 3411

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Tommie A. Foster for the

sale of Block 22K, Lot 103 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3412

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Our Way Associates and Keystone Commercial Properties, Inc., as Joint Venturers, for the sale of Parcels E and F in the Third Ward of the City of Pittsburgh."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3413

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and James P. Rosenbloom and/or an entity or entities to be formed for the sale of Parcels 4B, 4C and 4C-1a in the Eleventh and Twelfth Wards of the City of Pittsburgh."

Which was read.

#### **Michelle Madoff:**

Is that the medical center where they are going to build a medical division next to the —

#### **The Chair:**

That has to do with racquetball.

#### **Michelle Madoff:**

Yes, the racquet club is going to open, as I recall — I questioned the two dollars because it was for a medical facility, this price was set some time ago and I asked that the bill be held. I really think we ought to look into that, certainly we ought to check that out with URA and Steve George as to why that figure is so low.

#### **Mr. Perry:**

Excuse me, Michelle, the bill reads, "The developer plans to expand the existing Racquetball I facility and to construct a sports medicine recreation facility".

#### **Michelle Madoff:**

That's what I said, a sports medicine recreation — that's what I'm saying. What do they mean? Are they going to treat people — the doctor is going to treat people there, or are they just going to have people who are

handicapped there, I don't quite understand, I'd like that bill held. I mean at two dollars a square foot, the doctors can afford a little more.

**The Chair:**

I don't think that applies to a medical term at all, personally. I'm no expert.

**Michelle Madoff:**

Why don't we hold it and find out before we vote on it? Why do we vote when we don't know what we're voting on?

**The Chair:**

The Chairman isn't here, he was called away.

**Michelle Madoff:**

I'd like it held.

**Mr. O'Malley:**

I think Mr. Bell, who had the deposit, he had a \$50,000 deposit on the property, what he did was he gave up his option to the racquetball club, so if Mr. Bell had the option at two dollars per square foot, even though it was three or four years ago, I think it still carries over to today.

**Michelle Madoff:**

You may be right, we may be sort of locked into that price, and the unfortunate — in light of the fiscal situation the City finds itself in, I think we ought to hold and find that out. I think your point may be very well taken legally and we may be bound by that, but I think that you, more than anyone else has wondered about the hanky-panky and the magic act done by URA and I think

I'd like to find out about this magic act.

**Mr. Stone:**

This is for enlargement of the existing facility for which we are going to get the thing back on to the tax roles, I don't know what we're waiting for.

**The Chair:**

It is still the lady's prerogative to ask for a recommittal.

**Michelle Madoff:**

One week isn't going to make that much difference whether it is going to be on the tax roles.

**The Chair:**

We have a motion to recommit, is there a second? There being no second the motion fails Michelle.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6                      NOES 1  
(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3414

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Port Authority of Allegheny County for the sale of Parcel 4C-3a in the Eleventh and Twelfth Wards of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

Bill No. 3513

Report of the Committee on Water for July 8, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative

recommendation,

Bill No. 3402

Resolution entitled, "Resolution amending Resolution No. 433, approved May 1, 1981, entitled, 'Providing for an Agreement or Agreements with a consultant or consultants for professional engineering services in connection with the design of water line installations in Saline Street and Boundary Street and providing for the payment of the cost thereof, by correcting the encoding number'".

Which was read.

Also,

Bill No. 3403

Resolution entitled, "Resolution providing for a contract or contracts for the purchase of New Pumps and Providing for Rehabilitation of Existing Pumps in Various Pumping Station Facilities of the Department of Water; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 3514

Report of the Committee on Parks and Recreation for July 8, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3433

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Overbrook Boy's Club for performance of services in connection with their 1981 Summer Program and transferring the aggregate sum of \$5,000.00 to Code Account No. 1838, Department of Parks and Recreation."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

Bill No. 3515

Report of the Committee on Lands and Buildings for July 8, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3384

Resolution entitled, "Resolution providing for the acquisition from Consolidated Rail Corporation of certain property located in the 12th Ward, City of Pittsburgh, for the development of an asphalt plant and providing for the cost of the payment thereof."

Which was read.

Also,

Bill No. 3385

Resolution repealing Item (J) of Resolution No. 355, approved 4/25/80 for the sale of 2 lots on Sherman Avenue, 22nd Ward, designated as B & L 23-K-212-215, to Anthony G. & Mary J. Poli, his wife, for the sum of \$2,000.00. Property was assigned to Oliver Kaufman 6/11/80. Resolution is to cancel sale and forfeit hand money.

Which was read.

Also,



Bill No. 3386

Resolution amending Item (C) of Resolution No. 455, approved 5/8/81, for the sale of vacant land in the 15th Ward on Forrester Street, designated as B. & L. 55-A-264-265 to Michael C. and Lawrence V. DiNardo for the sum of \$700.00. Amendment is to correct discription of Lot No. 55-A-265.

Which was read.

Also,

Bill No. 3387

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended."

Which was read.

Also,

Bill No. 3388

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 3389

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mrs. Masloff presented**

No. 3516 Resolution approving the appointment of Albert A. Novak, Jr., 1420 Benton Avenue, Pittsburgh, PA 15212 as a district member of the Pittsburgh Cable Communication Advisory Committee for a term to expire December 31, 1982. This appointment fills the unexpired term of Charles T. Briggs.

Which was read.

**Mrs. Masloff moved for approval.**

**Mr. Stone** seconded the motion.

**The Chair:**

Is there any discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7 NOES none

And a majority of the votes of Council being in the affirmative, the appointment was approved.

#### Mr. Woods presented

No. WHEREAS, the City of Pittsburgh is known as a center of American Industry; and

WHEREAS, a commitment has been made by the City to encourage and stimulate business and create jobs through the Renaissance II program; and

WHEREAS, sound management practices include consistency in objective and derivative procedures.

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh hereby adopt as a standard procedure a direction to all purchasing agents of the City to place a priority on the purchase of American made products, thereby demonstrating an official position of preserving the jobs and security of the American people.  
Which was read.

Mr. Woods moved for adoption.

Mr. O'Malley seconded the motion.

Which motion prevailed.

#### The Chair:

I commend Mr. Woods, it is about time we say, Buy America first.

#### Michelle Madoff:

Mr. President, on another matter, I would like to present to Mr. Woods, a package that I prepared, as a member of the Sub-Committee on Energy which was appointed a year ago. Mr. Woods, this is a summary, the subject matter being Pacer and the Steam Heat Plant.

I was actually nonplussed when I picked up the paper on Friday, July 10th, to hope to hear Mr. Woods decrying the environmental factors of the plant. I have been an environmentalist and spent some 12 or 13 hours a day for 10 years working on this problem. The report was written by my office which was being used as a basis, both for Mr. Whitmore, and the conference people looking for the refuse, to see where we can obtain it.

I don't think I know everything, I believe I've got a lot to learn and one of the statments I have made repeatedly to the Allegheny Conference of which I sit on the Sub-Committee on the Steam Heat Plant, if there would have been any way that it was environmentally unsound I would not support it. They had to prove to me that it was environmentally unsound. Having spoken to Mr. Whitmore as recently as Saturday night past, referring to the report that appeared in the paper, the Rangus (?) Report, it appears that he feels that the report is self-serving, he feels that the only thing he is concerned about is the numbers, do the numbers work. As far as the environmental factors, he was at the Mayor's Conference where they demonstrated it to his satisfaction, that

indeed, it was environmentally sound.

There is a trip going to Europe right now, but there is a problem. The legal department made a ruling, as you know Mr. President, that Members of Council cannot attend unless the City pays for it or if they can come up with the difference. My own position is that since it is for the 315 tangible users, buildings downtown, if the Allegheny Conference, or Pacer, or Zapalla, and if the Member of Council who is going has an itinerary, and I understand it is a very heavy itinerary, and would like for you to take it, certainly they should be allowed to do so. I, personally, do not choose to go. I don't choose to go because I am not an expert. If somebody can clue me, as I have been clued before, J & L where they are not on top of the program, they don't have any discharge. I think this Council ought to approve of an independent consultant, that we have confidence in and hopefully that the City will pick up that tab, or allow the legalities to be worked out as to who should pay that tab. But, I would like to point out to my colleague, Mr. Woods, that from everything I have seen and reviewed with people like Rick, and the Mayor's Conference people, it appears that this facility is environmentally very sound, it even has apartment houses right next door, people living in the apartment house, their standards are much more strict than our standards, and ours are about as strict as you can get in the United States. I think we ought to find out because is such a vital, serious problem and you will find out we could end out with the City-County Building as one of the buildings that could have curtailments during peak low periods, right now we are borrowing from Paul to pay Peter as far as energy and gas are concerned. I think Mr. President, you have kept abreast of the problem, there are many problems involved that haven't been worked out yet and I think we

should work to try to solve the problem in a very professional manner rather than condemning it until we have all the facts.

#### **The Chair:**

I don't know, Mr. O'Malley and I sacrificed and gave up two weeks of our summer to go and make a study and we were crucified.

#### **Mr. Woods:**

Mr. President, I would like to respond to Michelle in just one way. She summed it all up for me, she is not an expert.

#### **The Chair:**

She's the first to admit it.

#### **Michelle Madoff:**

Well I'm more of an expert in that field than you are sir. If you want to play the numbers game, on how many people voted for you, we can play that game.

#### **Mr. Stone:**

Mr. President if I may, just one comment. Last Saturday I had the pleasant opportunity to attend the American Wind Symphony, the opening of their building and I would be remiss if I just didn't bring a couple of comments — I got a tour of the whole building and some of the monies from our Community Development is going into that project and I just was so overwhelmed first of all by the beautiful job of remodeling they are doing, and secondly, overwhelmed by the new opportunities that now exist in the old Stephen Collins Foster Home there. During the course of it, they had musicians all over the lot area and it just seemed to be something that was sadly

needed, bringing back some music to that particular area from which a lot of good music had emanated, and I had an opportunity as well, to just walk the streets and talk to the neighbors as to whether or not they were for or against what was developing there and overwhelmingly they were elated to sit out and listen to the musicians and what was forthcoming from the building and thereafter, had an opportunity again to hear the Wind Symphony. I think it is something that the City should be proud of, that they have helped finance and I think they ought to continue to finance it because I think it is a step in the right direction. Just a pleasant note to end this meeting.

**Mr. Woods** moved to excuse **Mr. Givens** for absence from this meeting.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. O'Malley** moved to approve the minutes of Monday, June 29, 1981 and Monday, July 6, 1981.

**Mr. Stone** seconded the motion.

And on motion of **Mr. Stone**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JULY 20, 1981

No. 29

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Asst City Clerk

Pittsburgh, PA  
Monday, July 20, 1981

#### PRESENT:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

#### ABSENT: Mr. Givens

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Before the Presentations, Mr. O'Malley and Mr. Robinson each have a resolution to present.

#### Mr. O'Malley presented

No. 3579 WHEREAS, Stanton Heights is one of the most active neighborhoods in the City of Pittsburgh; and

WHEREAS, the Stanton Heights Civic Association has been a model of progressive action as an integrated community; and

WHEREAS, the Civic Association provides most of the planned recreation in Stanton Heights at its own cost; and

WHEREAS, for five consecutive years the central event of this program has been the Summer Festival; and

WHEREAS, this Council has a commitment to keep neighborhoods like Stanton Heights viable; and

WHEREAS, July 26, is the Stanton Heights Community Festival.

#### NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh declares the weekend of July 25 and 26, Stanton Heights Weekend and urges residents of the City who have never been to that community to visit.

Which was read.

Mr. O'Malley moved for adoption.

Mr. Stone seconded the motion.

Which motion prevailed.

**Mr. O'Malley:**

It is an honor for me to introduce this resolution for Stanton Heights. As we all know, Stanton Heights is a neighborhood; it has a lot of pride and there are a lot of people who have been working very hard to keep Stanton Heights a good place to live.

I would like to have Mr. Paul Shepard come up and receive the resolution, please. Would you say a few words Mr. Shepard?

**Mr. Shepard:**

My name is Paul Shepard, I am Vice President of the Stanton Heights Civic Association. On behalf of the Stanton Heights Civic Association, we would like to thank the Members of Council for passing this resolution. We are actively engaged in promoting our community this year; we are involved in an annual fund-raising campaign and are in the midst of our summer activities, promoting a sense of community spirit. We feel that this helps us in many real and obvious ways by calling attention to our Association and our community. We thank you for your interest and your time today. Thank you very much.

**Mr. Robinson presented**

No. 3580 WHEREAS, the Sisters of Mercy, founded in Ireland in 1831 by Catherine McAuley, are celebrating their One Hundred and Fiftieth Jubilee during the year 1981; and

WHEREAS, the Order is participating in a world-wide celebration of the Jubilee with Twenty Thousand Sisters around the world; and

WHEREAS, under the leadership

of Frances Warde, Seven Sisters of Mercy came from Carlow, Ireland, in 1843 and established their first American Foundation at 800 Penn Avenue, Pittsburgh, Pennsylvania; and

WHEREAS, they established Mercy Hospital, Mount Mercy College, now Carlow College, and have served God and mankind with dedication and devotion; and

WHEREAS, on this day, Monday, July 20, 1981, eighteen hundred Sisters of Mercy will gather in Pittsburgh to celebrate Mercy '81 - the 150th Anniversary of their Order's founding.

NOW, THEREFORE,

BE IT RESOLVED that this Council on behalf of the citizens of the City of Pittsburgh does recognize and honor the Sisters of Mercy for their outstanding contributions to the City of Pittsburgh and its people and welcome the delegation and participants in Mercy '81.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

I would like to take a few moments to make some comments concerning this resolution. Some time ago I had the pleasure of becoming associated with Mt. Mercy College and the Sisters of Mercy, as both an Assistant to the President, Sister Jane Scully, and also a member of the faculty at Mt. Mercy College. Mt. Mercy, as you know, is now Carlow College, and during that association which has spanned

almost 15 years, certainly, I have come to appreciate the fine work that the Sisters of Mercy and Carlow College has done here in our community and there are many outstanding graduates from that college who are working here in the City of Pittsburgh.

I would just like to also indicate that this week, today, will be the official opening of Mercy-'81 and hopefully, all of you who have an opportunity will participate in that celebration and hopefully, other people in the City will recognize the outstanding contributions of the Sisters of Mercy.

I would like to have Sister Cecelia Murphy, who is the President of the Pittsburgh Congregation, come forward. Sister Murphy will be traveling to Dublin, Ireland July 24th through the 31st to represent the Sisters from the Pittsburgh Congregation in an International Conference celebrating the 150th Anniversary.

Before Sister Murphy makes her comments, I would just like to mention that in the Friday, June 19, 1981 issue of the Pittsburgh Catholic, there are several articles on the Sisters of Mercy, some outstanding articles, to give you some idea of the tremendous contribution these women have made to our community.

#### **Sister Murphy:**

On behalf of the Sisters of Mercy I am very pleased to accept this resolution in honor of the 150th Anniversary of our founding. I think Sisters of Mercy throughout this country and throughout the world, are very aware of Pittsburgh, Pennsylvania, because almost all of the 9,000 Sisters of Mercy in this country have their roots right here in Pittsburgh because it was the first site in which the Sisters of Mercy

came when they entered the United States.

It is indeed a privilege to have served the people of Pittsburgh over these many years, through education, health care, visitation of the sick and care of the poor, and it is really a great joy to be recognized by this very important body and to receive the certificate during our anniversary year. I thank each of you for it.

#### **The Chair:**

Thank you very much Sister, and certainly on behalf of City Council, congratulations on your 150th Anniversary and may you have many, many more.

Now we will go on with the regular business of Council.

### **PRESENTATIONS**

#### **Mr. Flaherty presented**

No. 3518 Resolution providing for the issuance of a warrant in favor of Air & Power Service Company in the amount of \$500.75 in payment for service and repairs furnished for the benefit of the City in connection with the air conditioning unit in the doctor's office, City-County Building; and providing for the payment thereof.

Also,

No. 3519 Resolution providing for the issuance of a warrant in favor of The Gage Company, in the amount of \$625.28 in payment for asphalt rakes furnished for the benefit of the City in connection with the maintenance of City lots and providing for the payment thereof.

Also,

No. 3520 Resolution providing for the issuance of a warrant in favor of Johnson Controls, in the amount of \$266.36 in payment for the purchase of electrical zone valves furnished for the benefit of the City in connection with the heating system at #12 Engine Company; and providing for the payment thereof.

Also,

No. 3521 Resolution providing for the issuance of a warrant in favor of Jackson's Woodworking Machine Repair Service, in the amount of \$450.00 in payment for service and repairs furnished for the benefit of the City in connection with power equipment used in the Carpenter Shop; and providing for the payment thereof.

Also,

No. 3522 Resolution providing for the issuance of a warrant in favor of Bovie Electric Supplies Company, in the amounts of \$56.71, \$159.06, \$77.23, and \$45.36 totalling in the aggregate \$339.26 in payment for the purchase of materials furnished for the benefit of the city in connection with the renovation of the 5th Floor, City-County Building and providing for the payment thereof.

Also,

No. 3523 Resolution providing for the issuance of a warrant in favor of General Elevator Company, Inc., in the amounts of \$180.45 and \$285.66 totalling in the aggregate \$466.11 in payment for services furnished for the benefit of the City in connection with the relocation of the Identification Section, #1 Police Station; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3524 Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, together with crossarms, cables and wires, one (1) anchor guy protector post and all other necessary appurtenances thereto on City property fronting on North Dallas Avenue, 12th Ward.

Also,

No. 3525 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947.

Which were read and referred to the Committee on Lands and Buildings.

Also,

No. 3526 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings requesting interim approval of payment of the aggregate sum of \$48,963.35, for delay costs in connection with the construction of Carnegie Library/Hill Branch, to be payable from Community Development, Unspecified Local Options.

Which was read and referred to the Committee on Finance.

#### **Mr. Flaherty for Mr. Givens presented**

No. 3527 Resolution transferring the amount of \$75,000 from Code Account No. 1660, Salaries, Regular Employees, to Code Account 1661, Miscellaneous Services, Supplies, Repairs, Materials and Equipment, Accounts within the Bureau of Cable Communications, Department of Public Works.

Also,



No. 3528 Resolution transferring \$51,502.40 from various code accounts to 1611-1, Utilities, all accounts within the Bureau of Operations, Street and Sewer Maintenance Division.

Which were read and referred to the Committee on Public Works.

Also,

No. 3529 Resolution vacating Chancery Lane, between Third Avenue and the Boulevard of the Allies in the First Ward of the City of Pittsburgh.

Also,

No. 3530 Resolution vacating St. Ives Street from Kirkbride Street to California Avenue, Lysle Street from St. Ives Street to California Avenue, in the Twenty-First Ward of the City of Pittsburgh, excepting and reserving the sewerline in St. Ives Street.

Also,

No. 3531 Resolution vacating portions of Market Street and Third Avenue, in the First Ward of the City of Pittsburgh in accordance with the provisions of the Market Square Redevelopment Area Plan and the Market Square Cooperation Agreement.

Also,

No. 3532 Resolution providing for an Agreement/s for Engineering Services in connection with the steel inspection of the Wood Street Bridge; and providing for the payment of the cost thereof, chargeable to and payable from C.A. No. PW 80-10, In-Depth Inspection by Contract, DPW - \$10,000.00.

Also,

No. 3533 Resolution providing for

a Contract/s or use of existing Contracts for concrete repairs to City Steps, various locations; providing for the payment of the cost thereof, \$50,000.00.

Also,

No. 3534 Resolution granting unto Fisher Scientific Company, 711 Forbes Avenue, Pittsburgh, Pennsylvania, First Ward, its successors and assigns, the privilege and license to construct, maintain, and use at its own cost and expense, a canopy, to be erected over an entrance to its building at 711 Forbes Avenue, Pittsburgh, Pennsylvania to project over the northern sidewalk area a distance of seven feet from the building, etc.

Also,

No. 3535 Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Consolidated Rail Corporation situated at the intersection of Kirkbride Street and California Avenue in the Twenty-First Ward of the City of Pittsburgh.

Also,

No. 3536 Communication from Louis Gaetano, Director, Department of Public Works, requesting reimbursement of \$200.00 to Gertrude Gordon in connection with trip to Harrisburg, PA, March 11, 1981, to attend Quarterly General Committee Meeting, payable from Code Account No. 1502, Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

Also,

No. 3537 Communication from

Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$41,340.32 to Peoples Natural Gas Company for City's share of material furnished and work performed by Peoples Natural Gas Company in accordance with Public Utility Commission Order of May 17, 1978, Elizabeth Street Bridge, to be payable from PW 78-14.

Also,

No. 3538 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$6,842.61 to Duquesne Light Company for City's share of material furnished and work performed by Duquesne Light Company in accordance with Public Utility Commission Order of May 17, 1978, Elizabeth Street Bridge, to be payable from PW 78-14.

Also,

No. 3539 Communication from Louis Gaetano, Director, Department of Public Works requesting interim approval of payment of \$10,365.00 for additional work in connection with grading, paving and curbing of Rialto Place, to be payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3540 Petition from the residents of the Elliott section of the City of Pittsburgh requesting removal of stop sign at the intersection of Lorenz Avenue and Marena Street.

Which was read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3541 Resolution authorizing a warrant in favor of Mark D. Schwartz, Attorney at Law, in the amount of \$1,950.00 in payment for professional services rendered for professional services rendered Pittsburgh City Councilwoman Michelle Madoff, without previous authority of law, chargeable to and payable from Code Account No. 1001-2, Service and Salaries of Council.

Which was read and referred to the Committee on Finance.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3542 An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.04, Unnecessary Noise and Sound Amplifying Devices, by specifically including radios and by revising the penalties for violation.

Which was read and referred to the Committee on Public Safety.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3543 Communication from Richard M. Cosentino, Director, Department of Water, notifying City Council of an increase in the charge for Remote Reader Register Installation from \$15.00 to \$30.00, effective August 1, 1981.

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 3544 Resolution authorizing the issuance of a warrant in favor of Bellefield Boiler Plant in the amount of \$15,428.70 in payment for the purchase of Steam for Phipps Conservatory, furnished for the benefit of the city without previous authority of law and providing for the payment thereof, \$15,428.70 from Code Account 1803.

Which was read and referred to the Committee on Finance.

**Mrs. Masloff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley presented**

No. 3545 Resolution authorizing a warrant in favor of Seewald, Carb and Siegel, P.C., Attorneys at Law, in the amount of \$950.00 in payment for professional services rendered to Pittsburgh City Councilman Jim O'Malley, without previous authority of law, chargeable to and payable from Code Account 1001-2, Service and Salaries of Council.

Which was read and referred to the Committee on Finance.

**Mr. O'Malley** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Robinson presented**

3458 Resolution providing for issuance of a warrant in the amount of \$5,945.00 in favor of Crown Wrecking Co., Inc., 276 Ringold Avenue, Pittsburgh, PA 15205 in payment of contract for the demolition and removal of 2 - 3 story and 1 - 2-1.2 story brick party wall located at 3526-28-30 Butler Street, Ward 6-03, without previous authority of law.

Also,

No. 3456 Resolution providing for the issuance of a warrant in the amount of \$3,300.00 in favor of Ace Demolition Inc., 3810 Crooked Run Road, North Versailles, PA 15137, in payment for the emergency demolition and removal of partially fallen building located at 1702 Buena Vista Street, Ward 25, without previous authority of law.

Also,

No. 3547 Resolution providing for issuance of a warrant in the amount of \$7,800.00, in favor of Casciato Brothers, in payment for the emergency demolition and removal of structures located at 519-21 Larimer Avenue, Ward 12-04, without previous authority of law.

Which were severally read and referred to the Committee on Finance.

**Michelle Madoff:**

On the bills referring to the emergency demolition — Mr. Brophy, I would like him to be here on Wednesday and show us how they were emergencies. I don't believe that they had to make a phone call, they didn't know those buildings had to come down until the day they made the phone call and that only one contractor was contacted by phone. That was something that we voted in Council would never happen again, and I believe Mr. Robinson has said that he wants to be notified day or night when there is any emergency and he was not notified.

Also,

No. 3549 Resolution amending Resolution No. 367, approved April 25, 1980, effective April 30, 1980, providing for an Agreement/s with MetHousing North, Inc., for purchasing and maintaining properties in connection with the Residential Clubs Project and providing for the payment of the cost thereof by reducing authorized amount from \$665,550 to \$35,024.72, payable from Northside Area Residential Club Projects.

Also,

No. 3550 Resolution further amending Resolution No. 686 approved July 25, 1980, effective date July 29, 1980, which amended Resolution No. 503 of 1979, Resolution providing for an agreement/s with Detwiler Associates for architectural services in connection with the Innovative Grant - Residential Clubs Program, by decreasing the amount of the agreement/s from \$17,000 to \$11,289, payable from North Side Area Residential Club Projects.

Also,

No. 3551 Resolution further amending Resolution No. 688, approved July 25, 1980, effective July 29, 1980, which amended Resolution No. 301 of 1979, Resolution providing for an Agreement/s with Better Community Services, Inc., for professional services in connection with the Innovative Grant - Residential Clubs Program, located on the North Side of Pittsburgh by increasing the amount of the Agreement/s to provide for rehabilitation supervision, by reducing authorized amount from \$21,000. to \$20,500.90, payable from North Side Area Residential Club Project.

Also,

No. 3552 Resolution amending Resolution No. 302, approved April 6, 1979, effective date April 11, 1979, Resolution providing for an Agreement/s with the Health and Welfare Planning Association for professional services in connection with the Innovative Grant, Residential Clubs Program, located on the North Side of Pittsburgh.

Also,

No. 3553 Resolution providing for the Agreement/s with the U. S. Department of Housing and Urban Development for the close-out of the NSARC Program, and providing for the issuance of a warrant to the U.S. Department of Housing and Urban Development in an amount not to exceed \$536,752.40.

Also,

No. 3554 Resolution authorizing the U.R.A. of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Donald Herd and Sarah Herd, his wife and designated as

Block and Lot 23-K-213 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 3555 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Felix Gobble and designated as Block and Lot 23-F-217 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund. Said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 3556 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Cleo A. Brooks and Mildred Brooks, his wife and designated as Block and Lot 23-E-117 in the Deed Registry Office of Allegheny County under the Residential Land Reserve Fund. Said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 3557 Resolution authorizing the URA of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Benjamin D. Schwartz and designated as Block and Lot 23-K-211 in the Deed Registry

Office of Allegheny County under the RLRF, said property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Also,

No. 3558 Resolution approving the sale of Block 171F, Lot 50 in the 12th Ward of the City of Pittsburgh by and between URA and Gumberg Associates, Chapel Square, for \$2,750,000.00, Industrial Land Reserve Fund.

Also,

No. 3559 Resolution approving the sale of Disposition Parcels 23, 30A, 31, 36, 78, 99 and 100 (Columbus, Adams, & Fulton Streets) in the 21st Ward of the City of Pittsburgh by and between URA and Concord Investments, Ltd., for \$7,235.00 Redevelopment Area No. 27.

Also,

No. 3560 Resolution approving execution of a Disposition Contract by and between URA and Housing Opportunities, Inc., for the sale of Block 50B, Lots 274 through 290, 292, 294 and 500 in the Tenth Ward — Residential Land Reserve Fund (Mossfield and Sullivan Streets).

Also,

No. 3561 Resolution approving a Neighborhood Housing Program Agreement between URA and Housing Opportunities, Inc., for housing to be constructed in the 10th Ward of the City of Pittsburgh.

Also,

No. 3562 Resolution approving execution of a Disposition Contract by

and between URA and Concord Investments, Ltd. for the sale of Block 22K, Lot 69 in the Twenty-First Ward, Residential Land Reserve Fund (1701 Fulton Street)

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 3563 Resolution providing for the issuance of a warrant in favor of Air & Power Service Company in the amount of \$728.25 in payment for service and repairs furnished for the benefit of the city in connection with the air conditioning units in Information Systems' computer room, Public Safety Building, and providing for the payment thereof.

Also,

No. 3564 Resolution providing for an Agreement/s with Landmark Savings Association, Incorporated and National Plan Coordinators for professional services in connection with the design, development, and administration of a Deferred Compensation Plan for City of Pittsburgh personnel.

Also,

No. 3565 Resolution providing for an Agreement/s for professional services in connection with the Municipal Pension Fund, Policemen's Relief and Pension Fund and providing for payment of the cost thereof.

Also,

No. 3566 Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and

Urban Development, for a grant in connection with deferral of Housing Discrimination Charges, HUD-FHP Project, etc.

Also,

No. 3567 Resolution providing for filing of an application by the City of Pittsburgh with the U.S. Equal Employment Opportunity Commission for a grant in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for execution of a Grant Contract and for filing of requisitions and other data, etc.

Also,

No. 3568 Communication from Mead J. Mulvihill, Jr. City Solicitor, submitting the settlements of claims not exceeding \$750.00 for the Second Quarter of 1981, payable from Code Account 1801, Petty Claims, and also, Settlements of Claims in excess of \$750.00 for the Second Quarter of 1981, payable from Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 3569 An Ordinance amending the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.12 Refuse Receptacles and Collection, Subsection (e), by limiting the time for the placement of receptacles for commercial rubbish and garbage on public places.

Which was read and referred to the Committee on Public Works.

## **The Chair presented**

No. 3570 Communication from Ronald C. Schmeiser, City Treasurer, designating George W. Jacoby to serve as Deputy City Treasurer and Collector of Delinquent Taxes and Deputy Treasurer for the School District of Pittsburgh during his absence, July 20 to 24, 1981, inclusive.

Which was read, received and filed.

Also,

No. 3571 Bond from the American Insurance Company in the amount of Two Hundred Thousand (\$200,000.00) Dollars on behalf of George W. Jacoby, Deputy City Treasurer.

Which was read and approved.

## **REPORTS OF COMMITTEES**

### **Mr. Stone presented**

Bill No. 3572

Report of the Committee on Finance for July 15, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3434

Resolution entitled, "Resolution transferring \$40,000.00 from Code Account No. 1714, Materials to Code Account No. 1705, Repairs."

Which was read.

Also,

Bill No. 3435

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Arsenal Construction Company in the amount of \$385.00 in payment for extra work performed at Highland Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3436

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Meyers Plumbing and Heating Supply Company in the amount of \$442.72 in payment for extra work performed at Northgate Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3437

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Nello Construction in the amount of \$5,110.00 in payment for extra work performed at Highland Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3438

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Recreational Equipment Unlimited, Inc., in the amount of \$6,500.00 in payment for the purchase of recreational equipment."

Which was read.

Also,

Bill No. 3439

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Easley & Rivers, Inc., in the amount of \$3,024.00 in payment for the purchase of recreation equipment."

Which was read.

Also,

Bill No. 3440

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of U. S. Games, Inc., in the amount of \$1,315.16 in payment for the purchase of recreational equipment."

Which was read.

Also,

Bill No. 3441

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of West Penn Billiard & Trophy Corporation in the amount of \$4,536.00 in payment for the purchase of recreational equipment."

Which was read.

Also,

Bill No. 3442

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of J. M. McClintock & Company in the amount of \$831.92 in payment for the purchase of recreational equipment."

Which was read.

Also,

Bill No. 3443

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Chatham Sports Center in the amount of \$1,694.00 in payment for the purchase of recreational equipment."

Which was read.

Also,

Bill No. 3447

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Cole Publications, 1 Parkway Center, Room 204, Pittsburgh, Pennsylvania 15220, in the amount of \$705, in payment for five (5) Pittsburgh Cole Directories, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3448

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of \$1,389, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."



Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3449

Resolution entitled, "Resolution providing for the establishment of the Bureau of Building Inspection Improvement Program Trust Fund Account, and authorizing the City Controller to transfer the sum of Twenty-Five Thousand Dollars (\$25,000.00) from the Rents, City-Owned Property Trust Fund into (BBIP) Account, and providing for the reimbursement thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3461

Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$2,000.00, in favor of persons who provide proctoring services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1981 Police Officer Entrance Examination on July 18, 1981, and providing for the payments thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff

Mr. Robinson  
Mr. Stone

Mrs. Masloff  
Mr. O'Malley

Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Flaherty for Mr. Givens presented**

Bill No. 3573

Report of the Committee on Public Works for July 15, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3322

Resolution entitled, "Resolution vacating Mulberry Way from Twenty-Third Street to a point 48 feet southwest of Twenty-Fourth Street in the 2nd Ward of the City of Pittsburgh."

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Which was read.

Also,

Bill No. 3472

Resolution entitled, "Resolution adopting Official Sewage Facilities Plan Revision for Parkway Center Mall Development."

Which was read.

**Mr. Flaherty:**

Mr. President, I move to amend Bill No. 3472, as follows: at the second "Whereas", change "module" to read "modules", and at the third "Whereas", change "modules" to read "module", and also add a new sentence after the words, "attached hereto", "said modules includes the proposed Parkway Center Mall and Saw Mill Run Sewer, Phase II".

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I'd like some clarification. Who is paying for this? Is this the City — is this the parallel lines we are putting in in that area to accomodate not only Kaufmann, but everybody else? Or is this a special sewage line for Kaufmann, and is he going to pay for it or are we picking up the tab? Does anybody know?

**The Chair:**

I think that UDAG money — the repairs there were supposed to be UDAG money, sewers and whatever, but we still

have to approve --

**Michelle Madoff:**

No, we had a bill pass Council, Mr. President, to have parallel sewage lines because there was not enough capacity in the existing line, it was my bill. Now, I don't know if this is the parallel sewer line or if this is another line for Kossman alone. I don't vote for anything for Kossman. He has had total disregard for the City, he has cost us thousands of dollars, he's cost us police time, we've had the roads come down when he knows he should have done it properly the first time, he has been nothing for grief. Now I want to know who is paying for that. I'd vote to hold that a week.

**Mr. Flaherty** seconded the motion.

**Mr. Stone:**

This is being paid for by him. Its like a road, you don't accept it until it is already completed.

**Michelle Madoff:**

You have some verification in writing that he is going to be paying for the sewer line? Is that what this is?

**Mr. Stone:**

We don't accept facilities unless they are paid for and they meet the standards as set by the City of Pittsburgh.

**Michelle Madoff:**

Well, it seems to me that Section 1 says, "The City of Pittsburgh hereby adopts and submits to the Department of Environmental Sources for its approval as a revision to the office plan of municipality. The above reference planning module for land development is

attached hereto", and it goes on to say that it has to meet the standards. Has it met the standards?

**Mr. Stone:**

It always has to meet the standards or it is not acceptable.

**Michelle Madoff:**

It says, "which is attached hereto", I don't have any of the attached hereto's.

**Mr. Stone:**

We don't accept it unless it meets our standards.

**The Chair:**

Well, I think we had enough explanation, we have a motion to recommit and a second, we will have a roll call vote on the recommittal.

**The Chair:**

Is there any discussion on motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:  
Ayes:

Mr. Flaherty  
Michelle madoff  
Mr. O'Malley  
Mr. Robinson  
Mr. Woods

Noes:

Mrs. Masloff  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 5

NOES 3

And a majority of the votes of Council bring in the affirmative, the bill was recommitted.

**Mr. Robinson presented**

Bill No. 3574

Report of the Committee on Planning, Housing & Development for July 15, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3450

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Community Affairs, for the Bureau of Building Inspection Improvement Program Trust Fund, to receive grant funds in an amount not to exceed Ten Thousand Dollars (\$10,000.00) to be deposited into the Bureau of Building Inspection Improvement Program Trust Fund Account."

Which was read.

Also,

Bill No. 3451

Resolution entitled, "Resolution authorizing the receipt of a grant in an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) from the Buhl Foundation, to be deposited into the

Bureau of Building Inspection Improvement Program Trust Fund (BBIP)."

Which was read.

Also,

Bill No. 3452

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pennsylvania Economy League, Inc., Western Division, for professional services in connection with the Bureau of Building Inspection Improvement Program Trust Fund (BBIP) in an amount not to exceed Twenty-Five Thousand dollars (\$25,000.00), chargeable to and payable from the (BBIP) Trust Fund."

Which was read.

Also,

Bill No. 3457

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Andrew C. and Mary Paula Pavinich for the sale of Block 23L, Part of Lot 184 in the Twenty-Second Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3458

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Debra A. Goodworth for the sale of Block 23G, Lot 81 in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3459

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Benjamin Perez for the sale of Block 23F, Lot 127 in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3460

Resolution entitled, "Resolution approving a form of Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John W. and Lillian Evans for the sale of Block 23F, Lot 355 in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Woods presented**

Bill No. 3575

Report of the Committee on Supplies for July 15, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3508

Resolution entitled, "Resolution providing for the letting of a contract or contracts or for the use of existing contracts, for the furnishing and delivery of approximately one emergency ambulance for the Department of Emergency Medical Services, and for the payment thereof."

Which was read.

Also,

Bill No. 3509

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of motorized fire equipment for the Department of Supplies, and for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the

bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **Michelle Madoff presented**

Bill No. 3576

Report of the Committee on Water for July 15, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3482

Resolution entitled, "Resolution providing for a contract or contracts for the Replacement of the 12" Main in South 30th Street, between Josephine and Mary Streets and providing for the payment of the cost thereof."

Which was read.

#### **The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### **Mrs. Masloff presented**

Bill No. 3577

Report of the Committee on Parks and Recreation for July 15, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3444

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with Pennsylvania Council for the Arts for a grant in connection with the Community Festival/Dance Program Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Community Festival/Dance Program Project; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit and for certification of authorized signatures; depositing funds received in the 'Special Parks Program Trust Fund' in

connection with the Project."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

Bill No. 3578

Report of the Committee on Lands and Buildings for July 15, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3428

Resolution entitled, "Resolution providing for an Agreement or Agreements and/or a contract or contracts in connection with the roof rehabilitation of Emergency Medical Services Headquarters, Shadyside Station, and providing for the cost of the

payment thereof."

Which was read.

Also,

Bill No. 3429

Resolution entitled, "Resolution providing for an Architectural and/or Engineering Agreement or Agreements in connection with the design and rehabilitation of No. 17 Engine Company, Mt. Washington, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**The Chair:**

There being no motions or resolutions, a motion to excuse the absent member please.

**Mrs. Masloff** moved to excuse Mr. Givens for absence from this meeting.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

How about a correction on the minutes? Correction on the minutes — on page 717, the second paragraph from the bottom, it says, "the report was written", its "a" report. Half the words are missing and I would appreciate it if they would go back to the tape and correct it.

**Mr. Stone** moved to approve the minutes of Monday, July 13, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, JULY 27, 1981

No. 30

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAY**...Asst City Clerk

Pittsburgh, PA  
Monday, July 27, 1981

#### PRESENT:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

#### ABSENT:

Mr. Givens  
Mrs. Masloff  
Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 3581 Resolution amending

Resolution No. 394, approved 4/13/31, which included Lot 26-N-27 with the original sale of 4/11/80, Item A of Resolution No. 263 to James LeRov Walls & Cynthia J. Walls, his wife, of vacant land, in the 5th Ward (26-N-26A) for the sum of \$600.00. Amendment is to include description of lot.

Also,

No. 3582 Resolution amending Resolution No. 614, effective June 13, 1981, entitled, "Providing for a Cooperation Agreement/s with Allegheny Regional Branch Carnegie Library/Pittsburgh Public Theatre for the removal of Architectural Barriers to improve physical accessibility for the elderly and physically handicapped and providing for the payment of the cost thereof", by decreasing payment from CDLB 80 Public Buildings Access by Handicapped and increasing payment from CDLB 81 Public Buildings Access by Handicapped.

Also,

No. 3583 Resolution providing for the filing of a petition/s for the sale of property/s acquired at tax sale in accordance with Act No. 514 of 1947.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Flaherty for Mr. Givens presented

No. 3584 Resolution providing for the issuance of a warrant in favor of

Atwood and Bates Construction in the amount of \$1,400 in payment for "Extra Work" furnished for the benefit of the City in connection with the Kennebec Street Sewer Reconstruction; and providing for the payment thereof.

Also,

No. 3585 Resolution providing for the issuance of a warrant in favor of Dan Construction Company in the amount of \$8,900 in payment for "Extra Work" furnished for the benefit of the city in connection with the widening and repaving of intersections at Spring Garden and Chestnut Street; and providing for the payment thereof.

Also,

No. 3586 Resolution transferring the sum of \$5,000.00 from Community Communications Special Trust Fund to Traffic Communications Special Trust Fund, subject to reimbursement upon receipt of funds from Pennsylvania Department of Transportation.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3587 Resolution granting unto Eugene Chiarelli, 4741 Liberty Avenue, his successors and assigns, the privilege and license to construct, maintain, and use at their own cost and expense, a vestibule to serve the front entrance of 4741 Liberty Avenue in a portion of sidewalk of Liberty Avenue in the 8th Ward of the City of Pittsburgh.

Also,

No. 3588 Resolution vacating Ober Street from Onondago Street to Olivia Street in the 14th Ward of the City of Pittsburgh.

Which were read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3589 Resolution providing for a contract/s for the installation of fire hydrants in various locations, at a cost not to exceed \$48,000, chargeable to and payable from the 1981 Capital Budget Account No. WD-81-19, (4-05-25-0002-81).

Also,

No. 3590 Resolution providing for a contract/s for the installation of fire hydrants in various locations, at a cost not to exceed \$48,000 chargeable to and payable from the 1981 Capital Budget Account No. WD-81-19, (4-05-0002-81).

Also,

No. 3591 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$25,000 for replacement of 24" Gate Valve at Josephine Street.

Also,

No. 3592 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$1,765.00 for parts for chlorinating equipment at Treatment Plant.

Also,

No. 3593 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$1,000.00 for air conditioner at Central Meter Shop, to be payable from Code Account No. 1701, Miscellaneous Services, Department of

Water.

Which were severally read and referred to the Committee on Water.

**Mr. O'Malley for Mrs. Masloff presented**

No. 3594 Resolution authorizing the issuance of a warrant in favor of Thomas DiDiano Construction Company in the amount of \$33,000 in payment for extra work performed at Westwood Pool & Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 3595 Resolution authorizing the issuance of a warrant in favor of Domino, Inc., in the amount of \$2,180.32 in payment for extra work in connection with the Frick Park Nature Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 3596 Resolution transferring \$39,000 from Project Code 4-10-01-1335-81 (PR81-04), South Side Ice Skating Rink-Roof Design, to Project Code 4-10-05-1353-80 (PR80-10), Westwood-Design and Construction, in the Department of Parks and Recreation.

Also,

No. 3597 Resolution transferring (within the Capital Budget) the total sum of \$118,123.22, to Project Code No. 4-10-05-1480-81 (PR 81-14), Security Lights and Energy Conservation Lighting Replacement from the listed Project Codes.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3598 Resolution providing for the filing of an application with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the development of the North Shore Park, providing for the execution of a grant contract and for the filing of requisitions and other data; providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for the certification of authorized signatures; and for the creation of the North Shore Park Development Trust Fund.

Also,

No. 3599 Resolution amending Resolution No. 933, approved September 19, 1980, effective September 26, 1980, entitled, "Providing for the letting of a contract/s for the replacement of the gym floor at Brookline Recreation Center; and providing for the payment of the cost thereof", from \$30,000 to \$20,000.

Also,

No. 3600 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of aggregate sum of \$21,402.22 for Extra Work in connection with the Brookline Park and Pool Construction, Controller's Contract Nos. 24791 and 24790.

Also,

No. 3601 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$2,800 for Extra Work in connection with the South Side Park Improvements,

Controller's Contract Nos. 24956-F.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 3603 Resolution authorizing the issuance of a warrant in favor of Leasametric - Metric Resources Corporation in the amount of Four Hundred Eighty-three Dollars and Sixty-four Cents (\$483.64) in payment for monthly charges for acoustic couplers, printer and terminals, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof, payable from 1980 CDPA, Department of City Planning.

Also,

No. 3604 Resolution authorizing the issuance of a warrant in the amount of \$1,488.00 in favor of Raymond Crowe in payment for the emergency removal of dangerous wall in rear of 1331 Page Street without previous authority of law, payable from HD 81-13, Department of Housing.

Also,

No. 3605 Resolution authorizing the issuance of a warrant in the amount of \$1,690 in favor of Omslaer Wrecking Co., in payment for demolition of fire damaged building at 191 Shetland Avenue without previous authority of law, payable from HD 81-13, Department of Housing.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3606 Resolution amending Section 11 of Resolution No. 1420,

effective December 31, 1980, as previously amended by Resolution No. 559, effective June 12, 1981, so as to transfer several programs from the Department of City Planning and the Supplies Department to the Department of City Development and Department of Public Works respectively; and further, to adjust the project code of DCD-81-02, "Section 108-NBR Demonstration Program".

Also,

No. 3607 Resolution authorizing the Mayor and the Director of the Department of City Development to enter into an Agreement/s with Pittsburgh Opportunities Industrialization Center to administer a Contractor Revolving Fund Program for an amount not to exceed \$325,169.09, payable in amounts indicated from DCD 81-04, Small Contractor Bonding Program, and Contractor Bonding Program Trust Fund.

Also,

No. 3608 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to deliver an amount not to exceed Twenty-Two Thousand (\$22,000.00) Dollars to Housing Opportunities, Inc., from the Neighborhood Housing Fund for site development costs on the Mossfield-Sullivan Site in Garfield.

Also,

No. 3609 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 25th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 23-C-173, Residential Land Reserve Fund.

Also,

No. 3610 Petition from the residents of the Oakland area requesting a hearing before City Council to discuss the merits of Council Bill No. 3454, providing for an Agreement/s with the Oakland Planning and Development Corporation, Inc., for the establishment of a Neighborhood Revitalization Office in Oakland.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 3611 Resolution providing for the issuance of a \$825.00 warrant in favor of Thomas & Michelle Waters for property damage by a Bureau of Refuse truck, charging same to Code Account No. 46, Judgments.

Also,

No. 3612 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Sara Page in payment of claim for personal property damage due to a water main break, charging same to Code Account No. 46, Judgments.

Also,

No. 3613 Resolution providing for the issuance of a \$842.65 warrant in favor of Dorothy Kamin, Daniel Kamin, et al, in full settlement of claim for property damage by a City refuse truck, charging same to Code Account No. 46, Judgments.

Also,

No. 3614 Resolution providing for the issuance of a \$975.00 warrant in

favor of Harry & Hugh Goff and Rose Smilay in settlement of sidewalk damage by City tree roots, charging same to Code Account No. 46, Judgments.

Also,

No. 3615 Resolution providing for the issuance of a \$2,200.00 warrant in favor of Carl Klevemann in settlement of claim for auto damage by a City Refuse truck, charging same to Code Account No. 46, Judgments.

Also,

No. 3616 Resolution providing for the issuance of a warrant in favor of Mary F. Ricketts, MD., in the aggregate amount not to exceed \$300.00 for professional services rendered for the benefit of the City, August 17 and 19, 1981, in connection with physical examinations administered to return to duty School Guards and applicants, payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Also,

No. 3617 Resolution providing for an Agreement/s with various agencies for the implementation of the Comprehensive Employment and Training Act, Title II, Part B, and providing for the payment of the costs thereof, at aggregate cost not to exceed \$2,300,000.00, payable from CETA Trust Fund, federal funds.

Also,

No. 3618 Communication from Ronald Schmeiser, City Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of June 30, 1981.

Also,

No. 3619 Communication from E. H. Campbell, President, Warner Cable Corporation of Pittsburgh submitting the 1980 Annual Report for Warner Cable Corporation of Pittsburgh.

Which were severally read and referred to the Committee on Finance.

**Michelle Madoff:**

On the bill for Oakland, 3610, I believe every Member of Council has been in communication, or people have been in communication with all of us, they tried reaching us. I don't know who was reached and who was not, so I got my call yesterday. They would like to hold on the Oakland bills because there seems to be a dichotomy of what happened and I think Mr. Robinson is probably best equipped to speak to it because he was there and I understand they gave him a rather -- roasting.

**The Chair:**

I don't think their hearing has any bearing whatsoever on the bill. If Mr. Robinson sees fit to move that on Wednesday, and Council will take the respective action. A hearing they will get, we will not hold the bill.

**Michelle Madoff:**

Well there is no point in giving them a hearing, it is like giving a man a hearing after you've convicted him.

**The Chair:**

That is the prerogative of the Chairman, a hearing has no bearing on their complaint.

**Michelle Madoff:**

Well, may I ask Mr. Robinson what he thinks, that is his committee and he was present at the meeting. Mr. Robinson, do you think that hearing has any bearing? I was asked to please hold up until there is a hearing and the other side can be heard from. What is your feeling? Since you are probably the most knowledgeable in the field. I know very little about it.

**Mr. Robinson:**

I indicated last Wednesday that there appeared to be an impasse between some of the groups in Oakland relative to whether or not the Oakland Planning and Development Corporation should be funded for a new contract and also whether or not they had adequately fulfilled the provisions of their previous contract. Under those circumstances, I indicated to Council that I felt we were going to have to make a decision as to whether or not we were going to fund the program for this year and that I was going to make an attempt to resolve that issue at a meeting last Friday at two o'clock. In fact, I think I had indicated to Council that I would have the meeting at two and that the issue would be resolved by two-thirty. It wasn't exactly two-thirty when I got it resolved, but it was resolved as far as I am concerned.

I did have an opportunity to talk with the representative from our Planning Department, Mr. Lurcott, Mr. Nick Pacelli, who represents some of the concerned citizens in Oakland, a Mr. Merle Cook, who represents the Number Four Block Club. The representative from the Oakland Planning and Development Corporation decided not to participate in the meeting that I had called and waited in Council Chambers with several other board members and representatives. At the meeting that I did have with the parties that met, I indicated to them that I did not feel

there was any overwhelming evidence at this point, which would make me recommend to my colleagues that we not fund this program, but I felt that it was only proper, since it was a new program, and since there appeared to be a number of difficulties, some stemming from the manner in which the program was put together last year, that it was appropriate for Director Lurcott and myself to monitor this program, and we were going to do that on a monthly basis, and that we would secure all the information that the City needed. Any party that wanted any information from the City of Pittsburgh should approach me and I would contact Director Lurcott and see that they got it, if for no other reason, to cut down on what appeared to be a communication gap.

**The Chair:**

Councilman, I certainly appreciate your comments, but the Chief Clerk informs me that they have requested that the hearing be withdrawn. They no longer want the hearing as of one o'clock today.

**Michelle Madoff:**

Oh, so then it is a moot issue. Thank you very much.

**Mr. Robinson:**

Well, I want to continue to give you the clarification. Also, I indicated that I felt that there were some issues that this Council could not address, and that those issues should be addressed to the appropriate bodies outside of Council and if persons were so disposed, they should hire legal assistance to do that. I then indicated that I was going to give the courtesy to the people from Oakland who came to the meeting, to explain to them exactly what I had said in private. I had planned to share that same

information in public this coming Wednesday. I explained to them what I just mentioned here in Council and the parties who were involved seemed satisfied with the decision to proceed. They were a bit perturbed that someone had issued and lodged a protest against them. I tried to explain to them that this Council, on numerous occasions, had bent over backwards to accommodate community groups and organizations, and we try to go the last mile, even though it is painful, to make sure the programs were operating are being operated adequately and fairly, and I hoped that they would understand that in light of the fact that when they come in and they ask for our consideration, that we will bend over backwards and take that last step with them.

I am glad that this issue has finally been resolved, at least as far as Council is concerned, and on Wednesday, I will recommend that we approve the request for \$67,000.00 to operate the Oakland Planning and Development Corporation for the coming year.

One last comment, the contractual relationship between the Oakland Planning and Development Corporation and the City of Pittsburgh will be reviewed by myself and Director Lurcott prior to it being signed.

**Michelle Madoff:**

Mr. Robinson, I would like to personally commend you because I know you took quite a roasting and were King Solomon at that meeting and I think it is tremendous and I hope the media appreciates the fact that we just don't work here in Council, when we are not here, we are out doing other things. I want to thank you personally for going to that meeting. I wish I'd have known, I would have been there, but I didn't.

## REPORTS OF COMMITTEES

Mr. Woods for Mr. Stone presented

Bill No. 3620

Report of the Committee on Finance for July 22, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3473

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Philip S. Wiener, Inc., in the amount of \$294.00 for the rental of two typewriters furnished for the benefit of the city without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3474

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Jim McKain, Inc., in the amount of \$2,535.28 for the rental of a Van for Bridge Division Personnel furnished without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3488

Resolution entitled, "Resolution authorizing the issuance of a warrant in

favor of Harmon Lumber and Supply Company in the amount of \$17,056.00 in payment for work performed at the Pittsburgh Symphony Summer Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3489

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedco Construction Co. in the amount of \$64,000.00 in payment for structural work in connection with the Symphony Summer Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3490

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Ferdinand Palombo Landscape in the amount of \$400.00 in payment for extra work performed in connection with the South Side Improvements, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3503

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the Air & Power Service Co., 136 Three Degree Road, Pittsburgh, PA



15237, in the amount of \$547.50, in payment for repairs to air conditioner and motor, furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3541

Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Mark D. Schwartz, Attorney at Law, in the amount of \$1,950.00 in payment for professional services rendered to Pittsburgh City Councilwoman Michelle Madoff, without previous authority of law."

Which was read.

Also,

Bill No. 3544

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Bellefield Boiler Plant in the amount of \$15,428.70 in payment for the purchase of Steam for Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

On Bill 3544, the Bellefield Boilers, I just want to point out that I have gone by those Bellefield Boilers recently, on numerous occasions when they are in violation of the pollution laws. They know better, they have the equipment to keep their plant clean, and if we are going to be buying steam from

them, of course we need the steam, I think it would be incumbent upon this Council to send them a little note saying we would appreciate it if they would abide by the pollution regulations. Its just sloppy managment, its just the way they light them, the way they fire them up.

Also,

Bill No. 3545

Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a warrant in favor of Seewald, Carb and Siegel, P.C., Attorneys at Law, in the amount of \$950.00 in payment for professional services rendered to Pittsburgh City Councilman Jim O'Malley, without previous authority of law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Flaherty for Mr. Givens presented**

Bill No. 3621

Report of the Committee on Public Works for July 22, 1980 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3421

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.13 Refuse Accumulation, by adding a new subsection (e) requiring businesses dispensing products on sidewalks and streets to provide waste containers." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3472

Resolution entitled, "Resolution adopting Official Sewage Facilities Plan Revision for Parkway Center Mall Development."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 3472, I had asked whether this was a parallel sewer line and Mr. Albert did not get a chance to respond, Mr. Stone said it was not, and if Mr. Stone is wrong, it is the parallel sewer line. As you know, Lou Gaetano has informed us of that, and this bill was supposed to be re-written. It is not for the Kossman Development Company, it is for the parallel sewer line, so we are voting on the Kossman

Development as opposed to on the parallel sewer line. I think the bill needs to be re-written. I don't want to hold it up because they are very anxious to get on with that sewer, it is desperately needed in that community. Now, what would you suggest we do to re-write the bill and still pass it today.

**The Chair:**

You can't do it, you have to recommit it.

**Mr. McCray:**

Recommit the bill.

**Michelle Madoff:**

Mr. Albert, is that Mr. Kossman or is it parallel?

**Mr. Albert:**

I would recommend you pass it as it is. It doesn't need to be re-written.

**Michelle Madoff:**

But it is not Mr. Kossman alone, is it?

**Mr. Albert:**

The City is putting in a storm sewer system, Saw Mill Run Phase II.

**Michelle Madoff:**

So are a lot of other developers, and that is the point, this is where we got thrown off, that was the parallel sewer bill that I had submitted last year, because we have tremendous amounts of development going into that area and the sewer line was being over-fed. Now, I would like to vote on it because I think it is important. The bill isn't worded correctly.

**The Chair:**

Michelle, it is really moot. Mr. Kossman is not going to enjoy that line anymore than anyone else. It is part of the whole project and his name, why it is on there, I really don't know, but at the same time, if we continue to hold this thing, we are just going to invade into that Saw Mill Run Project.

**Michelle Madoff:**

No, I don't want to hold it. I do not want to hold it, it is important to have that bill go through, but could we have an amendment put through next week to correct the bill? How's that?

**Mr. Albert:**

It doesn't need amended.

**Michelle Madoff:**

Well, its not just for Kossman Development, that is what it says. I wouldn't vote for a herring for Kossman Development.

**The Chair:**

Could we somehow amend the bill to eliminate the name Kossman in this development?

**Mr. Albert:**

If I may explain, so that --

**Michelle Madoff:**

I understand it, I've talked to Lou Gaetano in detail about it. He said it is not for Kossman, he came in this room and he said it was not for Kossman. I spoke to him and he said it is not for Kossman. You have verified it. I just want it re-worded, it is for the whole

community. We can pass it now and re-word it.

**Mr. Albert:**

It doesn't need amended, we ought to pass it.

**Michelle Madoff:**

We are going to pass it.

Also,

Bill No. 3475

Resolution entitled, "Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, as amended by Resolution No. 539, approved June 1, 1981, effective June 10, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program,' by transferring a project allocation line item from the Department of Supplies to a new project line item created in the Department of Public Works."

Which was read.

Also,

Bill No. 3476

Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services, in connection with Street Lighting Design for the Central Business District; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3477

Resolution entitled, "Resolution providing for a contract or contracts or to use existing contracts for Traffic Signal Equipment Installation and Removal at various locations and providing for the payment thereof."

Which was read.

Also,

Bill No. 3478

Resolution entitled, "Resolution providing for the purchase from the Croation Comisariat of the Third Order of St. Francis, Inc., for steps for public purposes, certain property at 5300 McCandless Street in the 10th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3479

Resolution entitled, "Resolution vacating a portion of Indus Street from a point one hundred (100') feet east of Edington Street, to a point two hundred sixty (260') feet east of Edington Street, in the 15th Ward of the City of Pittsburgh, excepting and reserving the fifteen (15") inch sewerline located therein."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 3622

Report of the Committee on Planning, Housing & Development for July 22, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3331

Resolution entitled, "Resolution providing for an Agreement or Agreements with consultant or consultants to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3455

Resolution entitled, "Resolution further amending Resolution No. 1130 of 1980 which amended a previous Resolution No. 822 of 1980 which amended Resolution No. 313 of 1980, by making certain line item additions and reductions to the

budget and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3504

Resolution entitled, "Resolution providing for the election by the City of Pittsburgh to enforce the provisions of the Pennsylvania Act of December 15, 1980 (No. 222) known as the 'Building Energy Conservation Act'."

Which was read.

**Michelle Madoff:**

Mr. President, I had suggested, and I think it met with the feelings of Council, that we get a resolution in now, once this bill is passed, Bill 3504, on the Energy Bill, to have a sun rights Bill and our own energy bill, because the City of Pittsburgh has put up its own money to build solar homes, and they are worthless if you don't have sun rights. So, I think we need a sun rights bill immediately.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

**Mr. O'Malley for Mrs. Masloff presented**

Bill No. 3623

Report of the Committee on Parks and Recreation for July 22, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3491

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Pennsylvania Commonwealth, Department of Education for a grant in connection with the Special Summer Food Service Program Project; providing for the execution of Grant Contracts and for the filing of requisitions and other data; approving the Project; providing for required assurances; providing for the execution of payment vouchers or Letter of Credit and for certification of authorized signatures and providing for the deposit of the funds in Special Summer Food Service Program account."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3492

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the purchase of Food Vendor services and administrative costs for the Special Food Service Program for children from funds provided by the Commonwealth of Pennsylvania, Department of Education."

Which was read.

**Mr. O'Malley:**

I move to recommit Bill No. 3492.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

Bill No. 3493

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the construction of the Pittsburgh Zoo; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

Where is that money coming from? Is that our Capital Funds? Is that

a grant from the Scaife Foundation? Does anybody know where the money is coming from for that?

**Mr. Albert:**

A combination of the three —

**Michelle Madoff:**

For the whole \$4 Million? Its not Operating Budget?

**Mr. Albert:**

No.

Also,

Bill No. 3494

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the construction of Northgate Swimming Pool & Bathhouse; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3495

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the construction of Various Ballfields including Vanucci, Alton, Magee and Quarry; and providing for the payment of the cost thereof."

Which was read.

Bill No. 3496

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the renovation of the Frick Park

Divisionsal Building; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3497

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the construction of walks at Allegheny Center; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3498

Resolution entitled, "Resolution providing for an Agreement or Agreements or use of existing Agreements for professional services in connection with the development of Friendship Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3499

Resolution entitled, "Resolution amending Resolution No. 205, effective March 6, 1981, entitled: 'Providing for a contract or contracts or use of existing contracts for Engineering Services within the Department of Parks and Recreation; and providing for the payment of the cost thereof, by clarifying the uses of the contracts.'"

Which was read.

Also,

Bill No. 3500

Resolution entitled, "Resolution amending Resolution No. 810, effective August 19, 1977, entitled, 'Providing for a cooperation agreement with the Housing Authority of the City of Pittsburgh for the architectural and engineering design for proposed renovation of a multi-service building at 930 Cresswell St., St. Clair Village and providing for the payment of the cost thereof,' by increasing the authorization to \$51,989.38."

Which was read.

Also,

Bill No. 3501

Resolution entitled, "Resolution amending Resolution No. 561, effective May 30, 1978, entitled, 'Providing for a cooperation agreement with the Housing Authority of the City of Pittsburgh for the renovation of 930 Cresswell Street, St. Clair Village, PA-1-7 for use as a Multi-Service Building and providing for the payment thereof,' by decreasing the allocation to \$393,101.62."

Which was read.

Also,

Bill No. 3502

Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 66, effective February 22, 1980, as amended by Resolution No. 114, effective February 28, 1980, as amended by Resolution No. 854, effective August 25, 1980, as amended by Resolution No. 969, effective September 29, 1980, as amended by Resolution No. 1068, effective October 23, 1980, as amended

by Resolution No. 1059, effective October 23, 1980, as amended by Resolution No. 1107, effective October 28, 1980, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program' by providing for an additional appropriation of \$550,000 for Project Code 4-10-05-1329-80 (PR 80-05), Northgate Design and Construct, New Pool, in the Department of Parks and Recreation."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **Mr. O'Malley presented**

Bill No. 3624

Report of the Committee on Water for July 22, 1981 transmitting one ordinance to Council.

Which was read, received and filed.

#### **Also, with a NEGATIVE RECOMMENDATION,**

Bill No. 3542

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, Chapter 601, Public Order, Section 601.04, Unnecessary Noise and Sound Amplifying Devices, by specifically including radios and by revising the penalties for violation."

Which was read.

#### **The Chair:**

Is there any discussion on the bill?

#### **Michelle Madoff:**

We have a legal opinion from the Law Department, which is in conflict with my conversation with Mr. Pellegrini. He said that it is constitutionally infirm due to its provision authorizing the confiscation of radios. I'm not married to the wordage and I'm not really intersted in confiscating radios in order to pay for our taxes and some of our bills this year, because we are going to need some money; but I do think that we need some motivation, or some action, I have twenty some letters that have been sent to me, they just arrived in the last couple of days, and memos and that is only a portion of the calls I have received.

There seems to be an overwhelming sentiment to do something about the noise level. I've had letters from people in the 19th Ward, which is predominantly a white community, from people saying — I don't know why this has become a racial issue, the people in our area are white youngsters who are — one



has a radio and two have speakers, three of them carrying it and blasting it. I've had people tell me they have gone to the park where the car radios are put on full blast.

It is true that one can try, saying, "Would you please turn down your radio?" I've tried it and got kicked in the shins once and I didn't care for that very much -- by a young woman, fortunately it wasn't a big young man. I have also said nicely, "I would appreciate it if you would turn that down, it is difficult to think", and they just glare and turn it up louder. I think there is a lot of hostility amongst people, youngsters, because they are unemployed and I think it is just a symptom of our times. But, if we are going to have a City that is litter-free and pollution-free and free of noise-litter, or noise pollution, we are going to have to do something about it. There were some suggestions made in this morning's editorial, that perhaps a fine on the spot. All I want to do is take it away, or take the battery out, or do something for 24 hours and give the radio back without a fee. Without a fee. However, if that person is a repeated offender, we would confiscate at that point. I think there is no alternative.

Mr. Pellegrini has told me that he is going to review the Boston and the New York bills and since we will be out of session most of August, he will have the bill -- he needs some time to prepare it for September. Therefore, I would like to table the bill until Mr. Pellegrini comes back with something that is more equitable. We also would appreciate any involvement from anybody who feels that it is unfair or unjust, because we certainly are not out to hurt anybody and we know that these youngsters really saved their hard-earned money and they worked to go out and buy these radios and it is probably the most valuable thing they have in their lives. This is not out

to punish people, but I think there has to be some consideration for one's neighbor.

The overwhelming sentiment -- I think there was a poll done this week, I think on KQV, I'm not sure, I didn't hear the results, but I understand it was overwhelmingly in favor of supporting doing something about the noise levels. I don't think I know all the answers, but I'm raising some of the questions. I think that's one of the roles we as legislators can do because Council proposes and the Mayor disposes anyway. We can only say we want 1,500 police and they give us 1,400. We can only say we want to do things and the Administration will do as it pleases anyway.

As I say, Mr. Pellegrini does not feel it is without merit, he is looking into the legalities and we will have another bill in September.

#### **The Chair:**

You've got two issues at stake, and on the one, the Law Department, if I read it correctly, is saying that there is already a bill on the books and we would be in violation in trying to pass another one.

The other is that -- and I would lie if I said I was not disturbed on occasions when I'm in a bus and some idiot, and that is all the person is who plays a loud, roaring radio. But, at the same time, who are we to say one is loud and one isn't. What is loud to you may not be loud to somebody else or what is loud to me. It gets back to the old story, you know, if we tell people how to dress, what to eat, what church to go to --

#### **Michelle Madoff:**

I don't think that's the same thing.

#### **The Chair:**

No, think about it -- you know, when we start passing laws saying it is too much noise, and confiscating radios, and to some other people it is not noise. I was in a restaurant over the weekend where two little kids were running around and making a heck of a lot of noise, it didn't bother me, but there were people who complained and walked out of the restaurant. They were bothered and I wasn't. So I'm just saying Michelle, you know, where do we draw the line as to what we can tell people to do?

**Michelle Madoff:**

Well, I think that is what he is going to look into, I think there is a thing called a decibel level. If it is blaring, if you're deaf and you can hear it, then you know its too loud. When blind people write me, Mr. President, that they cannot navigate corners because the radios are so loud that they can't tell the difference between traffic and a radio, I think it is unfair to the blind. I mean, how do we disfranchise the blind people? I mean, I don't think if somebody is playing a radio at a level that they can hear walking near you, then you say, you move quickly and move away from it, but if you go a block away and it is still blaring, then that radio is a nuisance. What do you do when your neighbors have a fight and you call the police because it is a public nuisance? This falls under public nuisance and whatever language the Law Department comes up with, that is the language I think Council ought to consider and since it won't be back until September, we have a lot of input. I never feel that my bills are proprietary and I address that to all members of Council, particularly you members and if Mr. Woods or anybody else feels they have anything to add, they are more than welcome, I'm open to suggestion. I think we should work in unison, not against each other.

**The Chair:**

There was a young kid in the neighborhood the other day, I asked him if he was leaving town, he had what I thought was a big suitcase, he told me it was a radio. It was that big.

**Michelle Madoff:**

Well, you know, one of the comic strips had somebody carrying a wagon with his radio in it, this morning I think.

I just deeply resent it being made into a racial issue, it is not a racial issue.

I move to recommit the bill.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Flaherty presented**

Bill No. 3625

Report of the Committee on Lands and Buildings for July 22, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3470

Resolution repealing Item (E) of Resolution No. 291, approved 3/26/81, for the sale of a 2 story brick house on 77 Reed Street, in the 3rd Ward; B & L #11-A-38, to Kenneth R. Mooney for the sum of \$2,000.00. Resolution is to repeal sale and return hand money.

Which was read.

Also,

Bill No. 3471

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**The Chair:**

We have some appointments here. The first eight do not need an approval from Council.

**The Chair presented**

Bill No. 3626

Communication from Richard S. Caliguiri, Mayor, submitting the name of Edison Montgomery, 5310 Westminster Place, Pittsburgh, PA 15232, as a member of the Public Parking Authority for a term to expire December, 1985.

Which was read, received and filed.

Also,

Bill No. 3627

Communication from Richard S. Caliguiri, Mayor, submitting the name of Robert Rade Stone, 2901 Sarah Street, Pittsburgh, PA 15203, as a member of the Public Parkinmg Authority for a term to expire December, 1981.

Which was read, received and filed.

Also,

Bill No. 3628

Communication from Richard S. Caliguiri, Mayor, re-appointing John P. Robin, 220 N. Dithridge Street, Pittsburgh, PA 15213, as a member of the Urban Redevelopment Authority for a term to expire December, 1985.

Which was read, received and filed.

Also,

Bill No. 3629

Communication from Richard S. Caliguiri, Mayor, submitting the name of Sophie Masloff, 3566 Beechwood Boulevard, Pittsburgh, PA 15217, as a member of the Stadium Authority Board for a term to expire January, 1984.

Which was read, received and filed.

Also,

Bill No. 3630

Communication from Richard S. Caliguiri, Mayor, submitting the name of David Bergholz, 630 S. Negley Avenue, Pittsburgh, PA 15232, as a member of the Stadium Authority Board for a term to expire January, 1986.

Which was read, received and filed.

Also,

Bill No. 3631

Communication from Richard S. Caliguiri, Mayor, submitting the name of Eugene Scanlon, 1431 Termon Avenue, Pittsburgh, PA 15212, as a member of the Stadium Authority Board for a term to expire January, 1985.

Which was read, received and filed.

Also,

Bill No. 3632

Communication from Richard S. Caliguiri, Mayor, submitting the name of David M. Matter, 6361 Edby Street, Pittsburgh, PA 15217, for re-appointment as a member of the Public Auditorium Authority Board for a term to expire December, 1985.

Which was read, received and filed.

Also,

Bill No. 3633

Communication from Richard S. Caliguiri, Mayor, submitting the name of William Russell Robinson, 820 Clarissa Street, Pittsburgh, PA 15219, for a term to expire in 1985.

Which was read, received and filed.

**Michelle Madoff:**

Do we vote on those or are those the Mayor's prerogative?

**The Chair:**

We have no right of approval.

**Michelle Madoff:**

I would just voice an opinion for the record, I am opposed to them all on the basis that the Mayor feels that I am such a threat that in three years he has not seen fit to appoint me to any committee, although he said he would, I guess he is terrified. I guess Mayor Madoff has a nice ring to it.

**The Chair:**

I was in Toronto over the weekend, they have a plaque there, "Thank God Michelle left". Do they mean you?

**Michelle Madoff:**

That's my home town, we did a good job there.

**The Chair:**

Did they mean you?

**The Chair presented**

Bill No. 3634

Communication from Richard S. Caliguiri, Mayor, submitting the name of Ben Woods as a member of the Public Housing Authority Board for a term to expire March, 1983.

Which was read, received and filed.

Also,

Bill No. 3635

Resolution approving the appointment by the Mayor of Ben Woods of 3715 California Avenue, as a member of the Public Housing Authority Board for a term to expire March, 1983.

Which was read.

Also,

Bill No. 3636

Communication from Richard S. Caliguiri, Mayor, submitting the name of Fred Gualtieri for re-appointment as a member of the Public Housing Authority Board for a term to expire March, 1986.

Which was read, received and filed.

Also,

Bill No. 3637

Resolution approving the re-appointment by the Mayor of Fred Gualtieri of 734 Sebring Avenue, as a member of the Public Housing Authority Board for a term to expire March, 1986.

Which was read.

Also,

Bill No. 3638

Communication from Richard S. Caliguiri, Mayor, submitting the name of Mary L. Schleck Donnelly as a member of the Historic Review Commission for a term to expire December, 1981.

Which was read, received and filed.

Also,

Bill No. 3639

Resolution approving the appointment by the Mayor of Mary L. Schleck Donnelly of 510 S. Linden Avenue as a member of the Historic Review Commission for a term to expire December, 1981.

Which was read.

Also,

Bill No. 3640

Communication from Richard S. Caliguiri, Mayor, submitting the name of John Harper as an ex-officio member of the Board of Code Review.

Which was read, received and filed.

Also,

Bill No. 3641

Resolution approving the appointment by the Mayor of Deputy Chief John Harper of 431 Bucknell Street as an ex-officio member of the Board of Code Review.

Which was read.

Also,

Bill No. 3642

Communication from Richard S. Caliguiri, Mayor, submitting the name of Robert Lurcott for re-appointment as a member of the Historic Review Commission for a term to expire December, 1983.

Which was read, received and filed.

Also,

Bill No. 3643

Resolution approving the re-appointment by the Mayor of Robert Lurcott of 7401 Ben Hur Street as a member of the Historic Review Commission for a term

to expire December, 1983.

Which was read.

Also,

Bill No. 3644

Communication from Richard S. Caliguiri, submitting the name of Paul Brophy for re-appointment as a member of the Historic Review Commission for a term to expire December, 1983.

Which was read, received and filed.

Also,

Bill No. 3645

Resolution approving the re-appointment by the Mayor of Paul Brophy of 414 City-County Building as a member of the Historic Review Commission for a term to expire December, 1983.

Which was read.

Also,

Bill No. 3646

Communication from Richard S. Caliguiri, Mayor, submitting the name of Arthur Fidel for re-appointment as a member of the Zoological Park Commission for a term to expire October, 1984.

Which was read, received and filed.

Also,

Bill No. 3647

Resolution approving the re-appointment by the Mayor of Arthur Fidel fo 5421 Maynard Street as a member of the Zoological Park Commission for a term to expire October, 1984.

Which was read.

**The Chair:**

Members of Council, what is your pleasure on those appointments and re-appointments, do you want them in for an interview or do you want to waive the two week period.

**Mr. Woods** moved to waive the two week waiting period.

**Mr. O'Malley** seconded the motion.

**Michelle Madoff:**

Opposed, but I have no objection to waiving the two weeks.

**The Chair:**

Is there any discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Michelle Madoff:**

Now we're voting on the appointments?

**The Chair:**

Now we're voting on the re-appointments.

**Michelle Madoff:**

What do you mean, "just the re-appointments"?

**The Chair:**

There are some appointments and some re-appointments.

**Michelle Madoff:**

Well, normal procedure, in fact, its a law, I think, you have to wait two weeks on appointments, now re-appointments we can waive that because they are already serving on the board. Its sort of redundant to bring them in because they are almost always re-appointed.

**Michelle Madoff:**

What date will two weeks be?

**Mr. McCray:**

About the 10th of August.

**Michelle Madoff:**

Mr. President, I respectfully had requested from you that members of Council notify you when they are not going to be present, only so that --

**The Chair:**

Why don't we vote on this Michelle --

**Michelle Madoff:**

Because I'm not going to be here then and I'm telling you now.

**The Chair:**

Well, we're voting right here now -- we've waived the two week waiting period, now we're voting on the re-appointments, now don't complicate the matter, for the love of God. Your comments will be included, you're the one who is never in a hurry, we can stay here until six o'clock for you.

**Michelle Madoff:**

I won't be here to make my comments.

**The Chair:**

You won't be where? When?

**Michelle Madoff:**

If you are not going to vote on the new appointments today, I won't be here to make my comments, so I'll make them today.

**Mr. Woods:**

You're not allowed to vote on the new appointments today, you have to wait two weeks.

**The Chair:**

You're not allowed by law to vote on them today.

**Michelle Madoff:**

I understand that, but I am going to make a comment on the names being submitted, which is my right.

**The Chair:**

Mr. Woods, would you do me a favor, she is determined to screw it up, recall your motion and we will bring them all in for an interview, okay? Please? Make the motion now that we interview the re-appointments and the appointments.

**Mr. Woods:**

I withdraw my motion to waive the two week waiting period. I now move that the appointments and re-appointments wait the two weeks.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I would like for the record, to note that most of these new jobs are on authorities and boards which have lots of patronage and I think it is very interesting that in three years I haven't been appointed to one, and it says a lot when you have a Member of Council who is new, who has been appointed to, not only ALCOSAN, but to another authority which has a great deal of patronage jobs. Please have that put into the record.

**The Chair:**

That's why you weren't appointed, you're opposed to patronage.

**Michelle Madoff:**

Of course not, because I'd be -- you know, again, those patronage things.

**The Chair:**

Okay, we'll bring those up two weeks from now, and next week for an interview, the re-appointments and appointments.

**Michelle Madoff:**

Please have that carried forward, I will not be here when the vote takes place, into the minutes of that vote.

**Mr. O'Malley:**

Where are you going Michelle?

**Michelle Madoff:**

Vacation, to get away from this zoo.

**The Chair:**

I thought we weren't allowed to go until the last two weeks. It changed.

**Michelle Madoff:**

I always tell the President when I'm taking off.

**The Chair:**

I've got five weeks coming and they've got me down to two.

**Michelle Madoff:**

I always let him know when I'm not going to be here because I know he'll miss me.

**The Chair:**

Can't you extend it to a month?

**Michelle Madoff:**

Only if you'll go with me "Jeep", because I understand we're working on an act, 14 weeks in Vegas.

I have some business -- a couple of items. We have a bill before Council on no smoking in elevators, which is not being enforced by our head of Building Inspection, and I see him in all of the places that I frequent where they don't have signs on the elevators, I see him in buildings that are health hazards because of fire threats and he is not doing anything about that, and I see him in buildings that we could have another Kansas City accident. I would like this



Council to know that I am going to introduce a resolution or some kind of amendment in September to have buildings that could possibly be dangerous to health and have a list submitted by the public, if necessary, to see that Building Inspection makes a special inspection on those types of buildings.

On the Smoke Alarm, the building owners claim that the people are ripping the signs out of elevators, they are now engraving them into the metal and I would like to share that -- Mr. Imhoff, to tell him that we would like to have them engraved into the buildings if necessary, so people can't say they stole it from them.

**Mr. Woods** moved to excuse Mr. Givens, Mrs. Masloff and Mr. Stone for absence from this meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Where are they? Are they off ill or on vacation or what?

**Mr. O'Malley** moved to approve the minutes of Monday, July 20, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Woods**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, AUGUST 3, 1981

No. 31

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Asst City Clerk

Pittsburgh, PA  
Monday, August 3, 1981

#### PRESENT:

Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

ABSENT:	Mr. Givens
	Michelle Madoff

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 3648 Resolution amending Resolution 633, effective June 13, 1981,

which presently reads: "Providing for the acquisition from Penn Central Corporation, certain property located in the 31st Ward, City of Pittsburgh, for the development of a tot lot and providing for the payment of the cost thereof", by changing a portion of Item D.

Also,

No. 3649 Resolution providing for an Agreement/s or a contract/s or use of existing contracts in connection with roof rehabilitation at various locations and providing for the payment of the cost thereof.

Also,

No. 3650 Resolution authorizing the sale of property in the 7th Ward of the City of Pittsburgh, located on Maryland Avenue designated as Block 84-J, Lot 157, to the Port Authority of Allegheny County for the sum of \$10,227.51.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Flaherty for Mr. Givens presented

No. 3651 Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$1,211.07, as payment for the use of their flagmen in connection with the City of Pittsburgh's Bridge Inspection Program.

Also,

No. 3652 Resolution providing for the issuance of a warrant in favor of Dick Corp., in the amount of \$51,067.00 in payment for "Extra and Alternate Work" furnished for the benefit of the City in connection with the City of Pittsburgh's Asphalt Plant, and other work incidental thereto; and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

Also,

No. 3653 Resolution further amending Resolution No. 1490, approved 12-29-80, effective 1/1/81, as amended by Res. No. 166, approved 2/13/81, effective 2/24/81, as amended by Res. No. 539, approved 6/1/81, effective 6/10/81, as amended by Resolution No. 685, approved 7/17/81, effective 7/23/81, entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program," by redefining the funding sources.

Also,

No. 3654 Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program," by redefining the funding sources.

Also,

No. 3655 Resolution providing for an Architectural and/or Engineering Agreement/s in connection with the design for the renovation and construction of the City of Pittsburgh's Cable Television production facilities and offices; and providing for the payment of the cost thereof. Funds are

available in Code Account 1661, Department of Public Works, Bureau of Cable Communications.

Also,

No. 3656 Resolution amending Resolution No. 385, approved 4/22/81, entitled, "Providing for a Contract/s for the rehabilitation of the Charles Anderson Memorial Bridge Drainage System; and providing for the payment of the cost thereof, by increasing the project allocation by \$65,000.00.

Also,

No. 3657 Resolution further amending Resolution No. 641, approved 8/9/76, as amended, entitled, "Providing for a Contract/s or use of existing contracts, for street improvements on Fifth Avenue, from Bouquet Street to Bellefield Avenue (PW 80-54), providing for the payment of costs thereof; and providing for a Reimbursement Agreement/s with the Commonwealth of Pennsylvania, Department of Transportation," by increasing the project allocation by \$131,026.07.

Also,

No. 3658 Resolution further amending Resolution No. 576, approved 7/27/76, as amended, entitled, "Providing for a Contract/s or use of existing contracts, for the construction of Fifth Avenue, from Craft Avenue to Bouquet Street, (PW 80-53); providing for the payment of costs thereof; and providing for a Reimbursement Agreement/s with the Commonwealth of Pennsylvania, Department of Transportation," by increasing the project allocation by \$61,767.23, and redefining the funding sources.

Also,

No. 3659 Resolution providing for a Contract/s for the Asphalt Plant Dock Facility; and providing for the payment of the cost thereof, not to exceed \$550,000, Code Account No. PW 81-33.

Also,

No. 3660 Resolution providing for a Contract/s for wall reconstruction and road restoration on Doerrville Avenue, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof, Code Account PW 81-07, \$100,000.00.

Also,

No. 3661 Resolution providing for a Contract/s for repairs to Scott Way Sewer, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof, \$100,000.00, PW 81-29.

Also,

No. 3662 Resolution providing for a Contract/s for repaving and widening of Warrington Avenue from Boggs Avenue to Arlington Avenue, including necessary work on private property, necessary waterline work, and other work incidental thereto; providing for a Reimbursement Agreement/s with the Commonwealth of Pa., Department of Transportation; and providing for the payment of the cost thereof. Funds available in Code Account PW 81-12 and WD 81-14.

Also,

No. 3663 Resolution authorizing the reciprocal transfer of streets and highways between the City of Pittsburgh and Commonwealth of Pennsylvania.

Which were severally read and referred to the Committee on Public Works.

**Mr. O'Malley for Michelle Madoff presented**

No. 3664 Resolution providing for the issuance of a warrant in favor of Process Supply, Inc., 1039-41 Central Avenue, P.O. Box 6010, Charlestown, W.V., 25302 in the amount of \$395.00, chargeable to and payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on Finance.

Also,

No. 3665 Resolution authorizing the Mayor and the Director of the Department of Water, on behalf of the City of Pittsburgh, to enter into an agreement with the Commonwealth of Pennsylvania, City's share of the cost not to exceed \$65,174.00, chargeable to and payable from 1981 C.B.A. No. WD 81-10.

Also,

No. 3666 Resolution providing for a contract/s for the installation of valves in various locations at a cost not to exceed \$360,000.00, chargeable to and payable from the 1981 Capital Budget Account No. WD 81-18.

Also,

No. 3667 Resolution providing for a contract/s for installation of valves in various locations, cost not to exceed \$360,000.00, chargeable to and payable from the 1981 Capital Budget Account No. WD 81-18.

Which were severally read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 3668 Resolution authorizing the issuance of a warrant in favor of Ritter Plumbing & Heating in the amount of \$500.00 in payment for extra work performed at Brookline Park Playground, furnished for the benefit of the City without previous authority of law and providing for the payment thereof. (PR 80-07).

Also,

No. 3669 Resolution authorizing the issuance of a warrant in favor of Tedco Construction in the amount of \$6,296.00 in payment for extra work performed in connection with Brookline Park & Pool Construction, furnished for the benefit of the City without previous authority of law; and providing for the payment of the cost thereof, (PR 80-07). Also,

No. 3670 Resolution authorizing the reduction of the retained percentage for Ritter Plumbing and Heating for Brookline Park and Pool Construction from Ten Percent (10%) to Five Percent (5%), Contract No. 24789.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3671 Resolution amending Resolution No. 922, approved September 19, 1980, effective September 26, 1980, entitled, "Providing for an Agreement/s for architectural, engineering or other professional services in connection with the design and rehabilitation of Burgwin Pool and providing for the payment of the cost thereof," by decreasing the authorization from \$50,000 to \$33,600.

Also,

No. 3672 Resolution amending Resolution No. 71, approved February 15, 1980, effective February 22, 1980, entitled, "Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for acquisition services in connection with the expansion of Volunteer's Field; and providing for the payment of the cost thereof," by increasing the authorization \$10,000.00.

Also,

No. 3673 Resolution providing for an Agreement/s for architectural, engineering or other professional services in connection with Ormsby Pool and providing for the payment of the cost thereof, \$46,400.00.

Also,

No. 3674 Resolution providing for an Agreement/s with the Lincoln-Larimer Athletic Association, for purchase of football uniforms and equipment and transferring the sum of \$5,000.00 from Code Account No. 53, General Trust Fund Account, to Code Account No. 1838, Department of Parks and Recreation, for that purpose.

Also,

No. 3675 Resolution providing for an Agreement/s or use existing Agreements for professional services in connection with the Phase II design of Volunteer's Field, and providing for the cost thereof, \$20,000, PR 80-30.

Also,

No. 3676 Resolution providing for the letting of a contract/s or use of existing contracts for concrete work repair of the Lilly Pond at Phipps

Conservatory; and providing for the payment of costs thereof, from Phipps Conservatory Trust Fund (PCTF), \$10,000.00.

Also,

No. 3677 Resolution providing for a contract/s or use of existing contracts for a Tree Planting Program at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof, \$100,000.00.

Also,

No. 3678 Resolution further amending Resolution No. 1229, approved 12/29/79, effective 1/1/80, as amended by Resolution No. 66, etc., entitled, "A Resolution adopting the 1980 Capital Budget..." Increasing Code 4-10-05-1338-80 (PR 80-07), Decreasing Code 4-10-01-1326-80 (PR 80-04).

Also,

No. 3679 Resolution providing for the filing of an application/s by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Development of the Manchester Visual Park, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Manchester Visual Park, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for certification of authorized signatures; and for the creation of the Manchester Visual Park Trust Fund.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 3680 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for Captain Thomas Hitchings, Arson Squad, to attend a Sub-committee Meeting on Public Awareness of the Interagency Committee on August 14, 1981, in Harrisburg, PA, cost not to exceed \$125.00, chargeable to and payable from Code Account 1463-1, Educational and Travelling Expenses, Department of Fire.

Also,

No. 3681 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for Deputy Chief John Harper and Captain Thomas Hitchings, to attend a Sub-committee meeting on Public Awareness of the Interagency Committee on Arson on July 23, 1981, in Harrisburg, PA, cost not to exceed \$125.00 per person, chargeable to and payable from Travelling Expenses, Department of Fire. Permission was not requested before the trip because they were not informed of the meeting until July 20, 1981.

Which were read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 3682 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 3 by changing from "R4" Multiple-Family Residence and "C4" Commercial Districts to "RP" Planned Residential Unit Development District, certain property located between Poplar Street and Baldwick Road, 28th Ward.

Also,

No. 3683 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11, by changing from

"R4" Multiple Family Residence District to "C3" Coimmercial District, certain property located along the rear of the northerly side of Ellsworth Avenue between Summerlea Street and Maryland Avenue, 7th Ward.

Also,

No. 3684 Resolution approving a Conditional Use under Section 993.01(a)A 43 of the Pittsburgh Code, Title Nine, Zoning, for a Group Care Facility for 8 clients with adult supervision to Young Life Campaign, on property known as 939 Beech Avenue, 22nd Ward.

Also,

No. 3685 Resolution amending Resolution No. 700, approved 8/7/79, amending Resolution No. 664, approved 7/22/80, providing for a Third Amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh in connection with the Community Development Block Grant Program, by increasing the amount in a certain line item.

Also,

No. 3686 Resolution amending Section 11 of Resolution No. 1267, of 1977, as amended, so as to decrease line item HD-78-18, "Innovative Grant - North Side, Local Matching Share", from \$110,000 to \$0 and, further, increasing line item HD-78-01, "HILP", from \$5,395,000 to \$5,505,000.

Also,

No. 3687 Resolution providing for the acquisition from the Estate of Frances Birska of certain property located in the 25th Ward, City of Pittsburgh, for the development of a parking lot in connection with the UDAG Program and providing for the cost of the payment

thereof.

Also,

No. 3688 Resolution amending Resolution 464 approved 5/29/80, effective 6/3/80, authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement/s in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for City-wide housing counseling and housing information services to the City in carrying out its Community Development Program, and providing for the payment of the cost thereof, by extending the time period of the contract to May 31, 1982.

Also,

No. 3689 Resolution providing for the acquisition from the Western Pennsylvania Conservancy of certain property located in the 23rd Ward, City of Pittsburgh, for the development of a tot lot in connection with the UDAG Program and providing for the cost of the payment thereof.

Also,

No. 3690 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Julie Goldblum to attend Urban and Regional Information Systems Association Annual Conference, New Orleans, Louisiana, August 15-19, 1981, at a cost not to exceed \$800.00, payable from Community Development Block Grant Program, Department of City Planning, Administration, Code Account CDPA.

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone presented**



No. 3691 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.03, collection through employers, by changing subsection (b) to provide for modification of the due date for the remittance by the employer of taxes deducted from the compensation of employees.

Also,

No. 3692 Resolution increasing the Bonded Indebtedness of the City, by the issuance of Notes in the total principal amount of \$10,000,000.00, for the purpose of funding unfunded debt, which debt was approved by order of the Court of Common Pleas of Allegheny County, Pennsylvania, on July 7, 1981, GD 81-17371, and to pay the costs of issuance of the Notes.

Which were read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 3693 Resolution providing for the issuance of a \$1,250.00 warrant in favor of C. Leroy and Alzada C. Hacker in payment of claim for damage.

Also,

No. 3694 Resolution providing for the issuance of a \$4,000.00 warrant in favor of Albert G. and Margaret A.

Turkovich in payment of claim for damage.

Also,

No. 3695 Resolution providing for the issuance of a \$875.00 warrant in favor of Joseph J. and Margaret Mitchell in payment of claim for damage.

Also,

No. 3696 Resolution providing for the issuance of a \$830.00 warrant in favor of Valerie Adams Stahurski, Executrix of the Estate of John J. Adams in payment of claim for damage.

Also,

No. 3697 Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$498,000 from various Code Accounts in various amounts, covering unspent monies from various salary accounts from January 1, 1981 through June 30, 1981.

Also,

No. 3698 Resolution providing for an Agreement or Agreements with an accounting firm to provide professional auditing services as required by the U.S. Department of Labor in connection with the Comprehensive Employment and Training Act (CETA) program, providing for the payment of the costs thereof.

Also,

No. 3699 Communication from Norbert C. McDermott, Jr., Comptroller, Allegheny County Sanitary Authority submitting a list of the Authority's personnel as of June 30, 1981.

Which were severally read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 3700 Resolution providing for the transferring of the sum of \$100,000.00; \$50,000.00 from Code Account No. 1132-6, Street Lighting Contract, and the sum of \$50,000.00 from Code Account No. 1144, Gasoline and Diesel Oil, to Code Account 1148, Automotive Parts, all within the Department of Supplies.

Which was read and referred to the Committee on Finance.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 3701 Resolution providing for the letting of contracts and use of existing contracts for materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1982, and providing for the payment of the cost thereof.

Also,

No. 3702 Resolution providing for the letting, during the calendar year 1982, of contracts, and for the use of existing contracts, for the maintenance, rental, inspection or servicing of personal property and for the maintenance and repair of buildings, structures, or any other properties in the custody of the various departments of

the City of Pittsburgh, and for the miscellaneous services in and for any and all departments of the City of Pittsburgh, and providing for the payment thereof.

Also,

No. 3703 Resolution providing for the letting of a contract or utilization of existing contracts for a collar for the Department of Supplies, and for the payment thereof.

Also,

No. 3704 Resolution providing for the letting of contracts and the use of existing contracts for the purchase and delivery of various Radio Equipment for the Department of Supplies of the City of Pittsburgh, at a cost not to exceed \$377,113.00 and providing for the payment thereof from Code Account 4-30-01-0001, Project Number SD 81-01.

Also,

No. 3705 Communication from Lawrence Yatch, Director, Department of Supplies, requesting reimbursement of \$90.00 to Keystone Diesel Company for costs incurred by a mechanic while attending transmission training classes, June 22-25, 1981, payable from Code Account No. 1142, Miscellaneous Services, Department of Supplies.

Also,

No. 3706 Communication from Lawrence Yatch, Director, Department of Supplies, requesting reimbursement of \$400.00 to James Binder, Department of Supplies, for expenses incurred while attending a seminar on Motor Vehicles Equipment Management, Cleveland, Ohio, May 11-12, 1981, payable from Code Account No. 1142, Miscellaneous Services, Department of Supplies.

Which were severally read and referred to the Committee on Supplies.

**Mr. Stone** moved to the suspension of Rule 5 providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 3707

Report of the Committee on Finance for August 3, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3518

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company, in the amount of \$500.75 in payment for service and repairs furnished for the benefit of the City in connection with the air conditioning in the doctor's office, City-County Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3519

Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of The Gage Company, in the amount of \$625.28 in payment for asphalt rakes furnished for the benefit of the City in connection with the maintenance of City lots and providing for the payment thereof."

Which was read.

Also,

Bill No. 3520

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Johnson Controls, in the amount of \$266.36 in payment for the purchase of electrical zone valves furnished for the benefit of the City in connection with the heating system at #12 Engine Company; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3521

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Jackson's Woodworking Machine Repair Service, in the amount of \$450.00 in payment for service and repairs furnished for the benefit of the City in connection with power equipment used in the Carpenter Shop; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3522

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Bovie Electric Supplies Company, in the amounts of \$57.61, \$159.06, \$77.23, and \$45.36 totalling in

the aggregate \$339.26 in payment for the purchase of materials furnished for the benefit of the City in connection with the renovation of the 5th floor, City-County Building; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3523

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of General Elevator Company, Inc., in the amounts of \$180.45 and \$285.66 totalling in the aggregate \$466.11 in payment for services furnished for the benefit of the City in connection with the relocation of the Identification Section, #1 Police Station; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3528

Resolution entitled, "Resolution transferring Fifty One Thousand Five Hundred Two Dollars and Forty Cents (\$51,502.40) from various code accounts to 1611-1, Utilities, all accounts within the Bureau of Operations, Street and Sewer Maintenance Division."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3546

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$3,300.00 in favor of Ace Demolition Inc., 3810 Crooked Run Road, North Versailles, PA 15137, in payment for the emergency demolition and removal of partially fallen building located at 1702 Buena Vista Street, Ward

25, without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3547

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$7,800.00 in favor of Casciato Brothers, 3301 Hyperion Street, Pittsburgh, PA 15214, in payment for the emergency demolition and removal of 2-1/2 story frame dwelling located at 519 Larimer Avenue (\$3,400) and 3 story brick and frame commercial and dwelling located at 521 Larimer Avenue (\$4,400), Ward 12-04, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3548

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$5,945.00 in favor of Crown Wrecking Co., Inc., 276 Ringold Avenue, Pittsburgh, PA 15205, in payment of contract for the demolition and removal of 2 - 3 story and 1 - 2-1/2 story brick party wall located at 3526-28-30 Butler Street, Ward 6-03, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3563

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company

in the amount of \$728.25 in payment for service and repairs furnished for the benefit of the City in connection with the air conditioning units in the Information Systems' computer room; and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3564

Resolution entitled, "Resolution providing for an Agreement or Agreements with Landmark Savings Association, Incorporated and National Plan Coordinators for professional services in connection with the design, development, and administration of a Deferred Compensation Plan for City of Pittsburgh personnel."

Which was read.

Also,

Bill No. 3565

Resolution entitled, "Resolution providing for an agreement or agreements with a consulting firm for professional services in connection with the Municipal Pension Fund, Policeman's Relief and Pension Fund, and Fireman's Relief and Pension Fund and provides for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3566

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Department of Housing and Urban Development, for a grant in connection with Deferral of Housing Discrimination Charges, HUD-FHP Project; providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the HUD-FHP Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

Also,

Bill No. 3567

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the United States of America, Equal Employment Opportunity Commission for a grant in connection with Deferral of Employment Discrimination Charges, EEOC-706 Project; providing for the execution of a

Grant Contract and for the filing of requisitions and other data; approving the EEOC-706 Project; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; and providing for the deposit of the funds in a bank account."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff for Mr. Givens presented**

Bill No. 3708

Report of the Committee on Public Works for August 3, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3529

Resolution entitled, "Resolution vacating Chancery Lane, between Third Avenue and the Boulevard of Allies in the First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3530

Resolution entitled, "Resolution vacating St. Ives Street from Kirkbride Street to California Avenue, Lysle Street from St. Ives Street to California Avenue, in the Twenty-First (21st) Ward of the City of Pittsburgh, excepting and reserving the sewerline in St. Ives Street."

Which was read.

Also,

Bill No. 3531

Resolution entitled, "Resolution vacating portions of Market Street and Third Avenue, in the First Ward of the City of Pittsburgh, in accordance with the provisions of the Market Square Redevelopment Area Plan and the Market Square Cooperation Agreement."

Which was read.

Also,

Bill No. 3532

Resolution entitled, "Resolution providing for an Agreement or Agreements for Engineering Services in connection with the steel inspection of the Wood Street Bridge; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3533

Resolution entitled, "Resolution providing for a Contract or Contracts, or the use of existing Contracts, for concrete repairs to City Steps, various locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3534

Resolution entitled, "Resolution granting unto Fisher Scientific Company, 711 Forbes Avenue, Pittsburgh, Pennsylvania, First Ward, its successors and assigns, the privilege and license to construct, maintain, and use at its own cost and expense, a canopy to be erected over an entrance to its building at 711 Forbes Avenue, Pittsburgh, Pennsylvania to project over the Northern sidewalk area a distance of seven (7') feet from building to face of canopy, face of canopy to have a set-back from the curb of one foot four inches (1'4") with a minimum height of twelve (12') feet above the existing curb line."

Which was read.

Also,

Bill No. 3535

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Consolidated Rail Corporation, situated at the intersection of Kirkbride Street and California Avenue in the Twenty-First (21st) Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3569

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.12, Refuse Receptacles and Collection, subsection (e), by limiting the time for the placement of receptacles for commercial rubbish and garbage on public places."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 3709

Report of the Committee on Planning, Housing & Development for August 3, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3207

Resolution entitled, "Resolution further amending Resolution No. 735, approved August 20, 1979, as amended by Resolution No. 829, effective September 26, 1979 amended by Resolution No. 662, approved July 25, 1980, entitled, "Resolution providing for Supplemental Agreement or Agreements with ACTION-Housing, Inc., for professional services in connection with the Department of Housing's Neighborhoods for Living Center by changing the source of funds and by increasing the amount provided therefore from \$190,000 to \$270,000."

Which was read.

Also,

Bill No. 3304

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 16, by changing from 'S' Special District and 'M2' Limited Industrial District to 'M3' Light Industrial District all that certain property bounded by: Washington Boulevard; Lincoln Avenue; the 'R2' Two-Family Residence District boundary line located south of Atwell Street; Lot No. 200, Block 125-D in the Allegheny County Block and Lot System; Monticello Street; Lots Numbered 27, 24, 20, 18, 14, 10, 8, 6, 4 and 2, Block 125-D in the aforesaid system; Lots Numbered 54 and 53, Block 125-H in the aforesaid system; the 'C3' Commercial District boundary line located between Beecher Street and McCombs Street; Lot No. 119, Block 125-G in the aforesaid system; McCombs Street; the easterly boundary of Lots Numbered 210, 211 and 212, Block 125-C



in the aforesaid system; the northerly boundary of Lots Numbered 212 and 218, Block 125-C in the aforesaid system and said boundary projected in a westerly direction and the 'M3' Light Industrial District located between Sweeney Place and Washington Boulevard, 12th Ward."

Which was read.

Also,

Bill No. 3415

Resolution entitled, "Resolution approving Modification No. 1 (dated May, 1981) to the redevelopment area plan for Redevelopment Area No. 29, Silver Lake Project."

Which was read.

Also,

Bill No. 3453

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635, and 1065 of 1980, and by Resolution No. 316, effective of 1981, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', so as to decrease line item HD-80-16, 'Neighborhood Development Offices', from \$330,000 to \$100,000; and further to increase line item HD-80-06, 'Rent Reduction Through Energy Conservation', from \$500,000 to \$638,000; and further, to increase line item CP-80-02, 'Citizen Participation and Information', from \$100,000 to \$147,000; and further to increase line item UR-80-13, 'Planning and Management', from \$120,000 to

\$140,000; and further to change the title of line item DCD-80-03, 'Interest Reduction Grant and Loan Fund', to 'Industrial Loan Fund.'" (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3454

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Oakland Planning and Development Corporation, Inc., for the establishment of a Neighborhood Revitalization Office in Oakland for the implementation of the residential renewal work program as contained in the Oakland Planning Study." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3505

Resolution entitled, "Resolution providing for an Agreement or Agreements with Ralph Alster for a design including the South Craig Street commercial area and the residential streets of Halket, Coltart and Louisa to implement the street beautification recommendations of the Oakland Plan."

Which was read.

Also,

Bill No. 3549

Resolution entitled, "Resolution amending Resolution No. 367, approved April 25, 1980, effective April 30, 1980, providing for an Agreement or Agreements with MetHousing North, Inc., for purchasing and maintaining

properties in connection with the Residential Clubs Project and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3550

Resolution entitled, "Resolution further amending Resolution No. 686, approved July 25, 1980, effective July 29, 1980, which amended Resolution No. 503 of 1979, 'Resolution providing for an agreement or agreements with Detwiler Associates for architectural services in connection with the Innovative Grant - Residential Clubs Program, by decreasing the amount of the agreement or agreements."

Which was read.

Also,

Bill No. 3551

Resolution entitled, "Resolution further amending Resolution No. 688, approved July 25, 1980, effective July 29, 1980, which amended Resolution No. 301 of 1979, 'Resolution providing for an Agreement or Agreements with Better Community Services, Inc., for professional services in connection with the Innovative Grant - Residential Clubs Program - located on the North Side of Pittsburgh', by decreasing the amount of the Agreement or Agreements to provide for rehabilitation supervision."

Which was read.

Also,

Bill No. 3552

Resolution entitled, "Resolution amending Resolution No. 302, approved

April 6, 1979, effective April 11, 1979, 'Resolution providing for an Agreement or Agreements with the Health and Welfare Planning Association for professional services in connection with the Innovative Grant, Residential Clubs Program, located on the North Side of Pittsburgh'."

Which was read.

Also,

Bill No. 3553

Resolution entitled, "Resolution providing for the Agreement or Agreements with the U.S. Department of Housing and Urban Development for the close-out of the NSARC Program, and providing for the issuance of a warrant to the U.S. Department of Housing and Urban Development in an amount not to exceed \$536,752.40."

Which was read.

Also,

Bill No. 3554

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Donald Herd and Sarah Herd, his wife, and designated as Block and Lot 23-K-213 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3555

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Felix Gobble and designated as Block and Lot 23-F-217 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3556

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Cleo A. Brooks and Mildred Brooks, his wife, and designated as Block and Lot 23-E-117 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3557

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Benjamin D. Schwartz and designated as Block and Lot 23-K-211 in the Deed Registry Office of Allegheny County, under the

Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3559

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Concord Investments, Ltd. for the sale of disposition parcels 23, 30A, 31, 36, 78, 99, and 100 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3560

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Housing Opportunities for the sale of Block 50B, Lots 274 through 290, 292, 294 and 500 in the Tenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3561

Resolution entitled, "Resolution approving an Agreement by and between the Urban Redevelopment Authority of Pittsburgh and Housing Opportunities, Inc, in which Urban Redevelopment

Authority of Pittsburgh will provide financial assistance to the purchasers of houses to be constructed in the Tenth Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 3562

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Concord Investments, Ltd. for the sale of Block 22K, Lot 69 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. O'Malley for Michelle Madoff

#### presented

Bill No. 3710

Report of the Committee on Water for August 3, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3483

Resolution entitled, "Resolution repealing Resolution No. 436, approved May 16, 1979, effective May 21, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing an delivery of Six (6) Paving Breakers for the Department of Water and for the payment thereof'."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 5

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Mr. Flaherty presented

Bill No. 3711

Report of the Committee on Lands and Buildings for August 3, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3524

Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, together with crossarms, cables and wires, one (1) anchor, guy wires, one (1) anchor guy protector post and all necessary appurtenances thereto on City property fronting on North Dallas Avenue, 12th Ward."

Which was read.

Also,

Bill No. 3525

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at a tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 6

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**MOTIONS AND RESOLUTIONS**

**Mr. Stone** moved to excuse Mr. Givens and Michelle Madoff for absence from the meeting.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Monday, July 27, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, AUGUST 10, 1981

No. 3

## Municipal Record

### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAY...Asst City Clerk**

Pittsburgh, PA  
Monday, August 10, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Prior to the regular order of business, there are a couple of resolutions we are going to take first. I've had a request from a certain gentleman to speak at today's legislative session. As is our policy and is our

custom, no one speaks at the legislative session except the Councilpersons. That is done at the Committee meeting on Wednesdays, so if you want to make a request of the Chief Clerk to come in then, it is quite allright.

#### Michelle Madoff:

Mr. President, before you continue, is the bill something we are voting a final vote on today? I have not been here. If the gentleman wishes to speak on it and I have not --

#### The Chair:

You're not listening, I just said the gentleman is not going to speak.

#### Michelle Madoff:

I heard that, I'm asking whether we are having a final vote on it today.

#### The Chair:

I don't know.

#### Michelle Madoff:

Well, if you don't know, who should know?

#### The Chair:

I didn't check them like you check them, like a hawk, okay?

#### Michelle Madoff:

Yes, I do.

**The Chair:**

I didn't have time to read them, I have other things to do. I read them when they come in here.

**Michelle Madoff:**

That's a hell of a time.

**The Chair:**

If you get out of order one more time I'm going to have you put out of this room.

**Michelle Madoff:**

Mr. President --

**The Chair:**

If you get out of order one more time.

**Michelle Madoff:**

I am not out of order, Sir, and I will --

**The Chair:**

You are out of order, now shut up.

**Michelle Madoff:**

I will put you on notice, and don't you tell me to shut up Sir.

**The Chair:**

There are resolutions here Mike, would you please read the first resolution.

**Michelle Madoff:**

Mr. President, point of order, I am not out of order, I will put you on notice, so you and Mr. Stone will be sued by my

attorneys who I have hired, because you are disenfranchising the public when I am not allowed to speak. I am a duly elected member of this office and you had better treat me with the respect that the public is due, whether you feel respectful to me or not.

**The Chair:**

Are you finished with your speech so we can get on with the meeting? You disrupt every meeting you've ever been to.

**Michelle Madoff:**

I am not disrupting a meeting when I ask you whether something is final action, I don't think there is any court in the land that will think that is out of order.

**Mr. O'Malley presented**

No. 3721 WHEREAS, West End/Elliott is one of the most stable and concerned communities of this City; and

WHEREAS, West End/Elliott has given us some of the great neighborhood leaders of the City; and

WHEREAS, one of these leaders was Gabor Kish, whose death we all feel; and

WHEREAS, West End/Elliott is having their annual festival on August 14, 15, and 16, 1981, in honor of Gabor Kish.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh designates the week of August 10 - August 16, 1981 as a week to commemorate the fine work Gabor Kish did and further designates that weekend



West End/Elliot Weekend.

Which was read.

**Mr. O'Malley** moved for adoption.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**The Chair:**

Mr. O'Malley, would you like to come up and present that resolution.

**Mr. O'Malley:**

I would just like to say a few words. It is an honor for me to present this resolution, and it is also an honor to have Mrs. Kish present to receive this resolution. Now, as we all know, Mr. Kish dedicated his entire life to his community and to the City of Pittsburgh. At this time I would like to have Mrs. Kish come forward please.

**Mrs. Kish:**

I would like to thank everyone responsible for setting this up. It is really an honor and I appreciate it very much. Thank you so much.

**Mr. O'Malley:**

I would like to say that anybody who knew Mr. Kish felt it was an honor to know him. He was always a great help to me and anytime I ever called upon him he was always there for me.

**Michelle Madoff:**

I have known Gabor for about 13 or 14 years, he was not only a fighter for the community that he lived in, but he represented this whole City on environmental matters, political matters and he gave heart to the people of this

Community. I wonder whether a fund has been set up in his memory? I wonder if Mrs. Kish is aware, has there been a fund set up in his memory, that people can make contributions to? I think there ought to be one and I'll start it off with a hundred dollar contribution.

**Mr. Givens:**

Mr. President, I think all of us knew Gabe Kish, I knew him very personally, for the number of years that I have been in the political arena of the City of Pittsburgh and found Gabe to be very refreshing, he was a true fighter, and I mean a fighter in the type of person that had convictions, and those convictions, whether I liked them or not, and some of them I did not, I would fight with him over those issues, but I felt the man was sincere in his efforts to improve his community and in turn, the total community of the City of Pittsburgh, and for that I am very remorseful that Gabe has gone to that good land above.

**Mr. Flaherty:**

Yes, I would like to add my comments in regard to a very close friend, a person that I probably admired as much as I have admired anyone, and that was Gabor Kish. I think that it is very important that this Council and the City of Pittsburgh remember Gabe Kish as the father of neighborhood activism in this City.

Gabe Kish was the founder of the Pittsburgh Neighborhood Alliance over 10 or 11 years ago, and it started with that seed that we have seen the flower of activism in the impact that neighborhood and community groups have had upon this Council, upon the good of the welfare of the entire City. Gabe was also the mainstay of our Home Rule Study Commission which authored our Charter. It was in true form that Gabe

Kish, I believe, was here in Council and he was fighting for something that he believed in, just within a couple weeks of his passing away. I believe that is a tribute to him and I believe that he would not have had that fight and that spirit if he didn't have the love and the affection and the determination of his wife who is here now. We will all miss him.

#### **The Chair:**

Your comments are well noted, thank you very much. We have another resolution here, Mr. Perry, Mr. Robinson's resolution I believe.

#### **Mr. Robinson presented**

WHEREAS, the Opportunities Industrialization Centers have provided education, training and work experiences for thousands of persons in the United States and several foreign nations; and

WHEREAS, the Reverend Leon Sullivan founded Opportunities Industrialization Center in the City of Philadelphia, Pennsylvania, and has continued to provide dedicated leadership and inspiration over the years; and

WHEREAS, the Pittsburgh Opportunities Industrialization Center has provided residents of our City with an opportunity to become productive members of the community; and

WHEREAS, the Eleventh Annual Regional Conference for Opportunities Industrialization Center's Region Three will be held in our City August 9th through August 12, 1981, at the Pittsburgh Hilton.

NOW, THEREFORE,

BE IT RESOLVED that the

Pittsburgh City Council, on behalf of the citizens of the City of Pittsburgh, does recognize and honor the Opportunities Industrialization Centers of America and welcome the Delegates from Region Three.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

#### **The Chair:**

Mr. Robinson, would you please come up and present the resolution.

#### **Mr. Robinson:**

Mr. President, Members of Council and distinguished guests, I believe there are some representatives here from the Opportunities Industrialization Center, and if they would come forward, we would like to give them these gold seal copies of the resolution.

#### **Ms. Betters:**

On behalf of Opportunities Industrialization Center Incorporated, I am Ann Betters and I would like to thank the City Council for recognizing us, and our Regional, which is here in Pittsburgh this week.

#### **Mr. Flaherty:**

Mr. President, I was wondering if it would be in order now, to present a resolution in regard to an issue that has appeared in the newspapers over the weekend and that I have been having quite a few calls in regard to. The thrust of the resolution would be that we on City Council urge the State

Reapportionment Committee to do everything in their power to preserve our current number of State Representatives in Harrisburg. I am sure that we have all read in the paper that there is a plan that would strip two seats from the City, and I feel that that is unfortunate since we, in the City of Pittsburgh, are in a very unique situation, we only have approximately 420,000 people, but we are the bulwark, the hub of the entire metropolitan area, and when you talk about the tri-state area, we are talking approximately 2-1/2 million people. I feel that for the urban health of this City, it is extremely important that we just do not acquiesce, and that if no one else in City government is going to stand up and put forth a fight to keep our representation; just a year ago, approximately a year ago, Mayor Caliguiri came forth with the Pittsburgh plan. Then, he stated that was going to be an uphill fight, and I believe that we all agreed with him, and from my experience in Harrisburg, it certainly will be. We can't afford to give two City seats away to give a seat to Westmoreland County.

I feel that it is wrong on moral grounds to dissect the North Side into four quarters, and under this plan, it would be virtually impossible for North Side to have a State Representative. North Side will not have a State Representative. And then, we are going to do the autopsy on the South Hills. I believe this is an injustice to the people of the North Side, to the people of the South Hills, to the people of the City of Pittsburgh. It is going to deprive us of two votes. Especially in light of the current issue that some people believe that there is a lack of equitable municipal representation here on City Council to certain areas. I find it ironic that we are going to two areas and stripping them of their representatives that have historically been denied a

voice on Council. Not historically completely denied, but there certainly are strong arguments that inequities have existed. I have a resolution here that I wish to present.

#### **The Chair:**

Go ahead.

#### **Mr. Flaherty presented**

No. 3723 WHEREAS, the best interests of the City of Pittsburgh would be to maintain the current level of state representation in the City of Pittsburgh; and

WHEREAS, the loss of the North Side seat and the South Hills seat would seriously deny the residents of the City of Pittsburgh representation; and

WHEREAS, the State Legislative Reapportionment Committee has a plan under its consideration that would strip those seats; and

WHEREAS, that plan finally calls for the loss of two members of the State House of Representatives from the City of Pittsburgh;

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh urges the State Legislative Reapportionment Committee to reconsider the plan and provide Pittsburgh with the continuity of current representation in the State House of Representatives that it direly needs.

Which was read.

**Mr. Flaherty** moved for adoption.

**Michelle Madoff** seconded the motion.

**Mr. Stone:**

Mr. President, maybe in kind of a general sense I agree, but I think that we got rid of a lot of the specifics that might be easier, more saleable, so to speak. It is my understanding, somewhere along the line, that the loss of population is in the Pittsburgh area, now that happens with Congressional State Senate, as well as with Congressional. If the resolution is shortened to say that we would like that Pittsburgh maintain its maximum amount and hope for what we have, I don't know that we can keep what we have, and I haven't seen the plan, so I don't know what is involved in it, but if its a matter, should the City of Pittsburgh maintain what they have, and efforts be done to do what we can, then I can subscribe to that. But, I think going into the specifics tends to take away from what I think might be wise with the resolution.

**Mr. Flaherty:**

I have a comment on that, if we don't know what we can't keep, why should we start out at a lower price. I'm saying we need our current representation, there is a plan there to keep all our State Senators in Allegheny County, and in this plan, it gives an extra seat to Westmoreland County, which is not deserving of it because of the population. Everybody knows, I believe that we are all hardened to the realities of politics, in that we are not naive, and when you go into a fight over reapportionment, you stick with what you have and you try to get more, because, I know in Philadelphia, they are going to fight for everything they can, I know Jim Manderino in Westmoreland County is going to fight for everything he can get, and I believe that this Council and the Mayor of the City of Pittsburgh should fight for the North Side and South Hills, and don't sell their

seats out to two suburban areas.

**Mr. Stone:**

Tom, if I may, by way of explanation, if there is going to be some cut, I don't know where it is and don't know where it should be, I'm not that versed on the population level, but I think, from what I can gather, one of the results is that there has to be a cut. If we are doing it and say, "Don't cut here", then, are we not saying in converse, cut somewhere else here? Now that is the thing that I am finding a conflict in which I don't want to get stuck with. Now if you are saying that we would hope that the legislature should reconsider their, whatever they are doing, so that the City of Pittsburgh can maintain its present status or the maximum available, then I think we go along without telling them what to do, don't cut here, but cut there. Do you catch my point?

**The Chair:**

Mr. Stone, if I may take the prerogative of the Chair, I agree with Councilman Flaherty wholeheartedly that we should not lose two districts, I would like to see us lose one. I also have a selfish interest, I would like to beat these two gentlemen at the polls and I'm going to do my damnest to do it.

**Michelle Madoff:**

Mr. President, could you repeat that, I didn't hear it, I'm sorry.

**The Chair:**

I'd do my damnest to beat them at the polls, I want that chance, I don't to reapportion. No way. That would be wrong, I agree with him 100%, it would be wrong, but I want the other opportunity.

**Mr. Woods:**

Mr. President, I live on the North Side and I've seen the plan. I have already sent everybody on that committee a telegram opposing the plan. They cut the North Side, I've lived there all of my life, we have always had a legislator and they have cut it up in four districts, none of it makes any sense. The ward I presently live in will go across the river, the 26th Ward will go to Ross Township, the lower part of the wards will go across the river on this side, and it doesn't make any sense, they have cut it up four ways, and I believe in the way Tom presented his resolution and I am going to vote in favor of that. I only have one regret, that I didn't present it.

**Mr. Flaherty**

I just want to commend our President of Council for what he has said. "Jeep", you are entitled to that right to go out to defeat anyone you wish at the polls, but I feel that it is a serious injustice to deprive the City of Pittsburgh representation over a political vendetta.

**The Chair:**

I'm agreeing with you 100% Tom. Mr. Givens you have the floor.

**Mr. Givens:**

I'll yield the floor to Michelle.

**Michelle Madoff:**

I had my hand up first, but if you wish to speak, I'd be happy to let you.

**The Chair:**

She's too busy applauding.

**Michelle Madoff:**

If you're going to be rude, you'll hear from my attorneys.

**The Chair:**

No attorney would take your case. Go ahead.

**Michelle Madoff:**

They already have, you have already received one letter from one of my attorneys and you backed off, we'll get you the next time again. Now, let's continue. I think it is unfortunate, and I think Councilman Woods — I lead the applause in case you didn't notice — has really spoken from my heart, anyway. I know Mr. DeWida and I know Mr. Murphy and I know that the people of their area consider them some of the finest representatives. The people get to choose, and even Mr. DePasquale has said, he doesn't mind working to defeat someone at the polls, but he feels it should be done at the polls and I respect him for that, and I think that's where the ballgame ought to be played. These people have overwhelmingly supported these two gentlemen and I think it is not for this Council to undercut them and I certainly support Mr. Flaherty's resolution wholeheartedly and I am glad to see there seems to be a sentiment in that direction and I think it is unfortunate we are getting some double talk about, we really ought to do it but we shouldn't do it, from the person who always accuses me of not understanding, I think we understand all too well what is going on here. I want to see Mr. Murphy, I want to see Mr. DeWida, represent the people who elected them, let's keep them there.

**Mr. Woods:**

Mr. President, may I say

something? Michelle — I don't think that this Council, you said we undercut them -- I don't think --

**Michelle Madoff:**

I wasn't referring to you Sir.

**Mr. Woods:**

No, I mean anybody on this Council, I think everybody here agrees with what everyone else is saying.

**Michelle Madoff:**

Well, let the other person speak for himself, I supported what you said, I led the applause, let's let it ride.

**Mr. Woods:**

Yes, but you made the remark that this Council undercut them.

**Michelle Madoff:**

No, I said I hope this Council would not move to undercut them, that we would support Mr. Flaherty's motion.

**Mr. Givens:**

Mr. President, I also support this resolution and the comments of Ben Woods especially, and I have great concern for what is happening here. Being it at the state level and seeing how the state operates at that particular level, the cities, be it Philadelphia or, especially the City of Pittsburgh, the cities are in the minority as far as the legislative body of the State of Pennsylvania, with two hundred and three-some members, if you go up and look at it and see those that are from the city, it is not City versus Allegheny County, it is the City of Pittsburgh versing the rural community of this state, who controls the major votes

within the State House in the State of Pennsylvania. So, I have to agree in principle that the cities must maintain as much clout as they can with their legislators and hopefully, we will have seven such legislators in a continuous boundary line, not being divided up so we add more different legislators from outside the city, even so, in Allegheny County, and as Mr. Flaherty has pointed out, the City of Pittsburgh is the metropolitan hub of a large three million-some population, and if we go, so will the rest of the spokes in that hub, so we need that voice in the legislative house, and I support this resolution.

**Mr. Stone:**

Mr. President, I'm going to try once more on something that I think is important. I am fearful of the converse and I think we ought to be watching here. Relative to the individuals, if I may, and I would like to pull aside the personality thing, I don't have anything against either of the two present incumbents in the districts involved, I have always had a working relationship with both of them so that is not the thrust of where I am at and I would like to leave the personalities out if I can.

Secondly, as far as the City of Pittsburgh, I think we ought to and it is obviously to our benefit, whether we like the incumbents or not, that we maintain as much of that representation within the City of Pittsburgh, as possible. That is always to our best benefit. The only problem I have, and I go back to that — you only have so much limitations. It is my understanding that the loss of population is in this area, and if there has to be a loss, where is it? And that is the reason that I suggested a general way of saying we would like to maintain the status quo of numbers of our legislators from the City of Pittsburgh, rather than not from these two areas, and then it is

from two other areas, we are back then doing the converse of what we are saying now is not here either, and not there either. Now, that is the thrust in which I am making this suggestion so that everybody understands.

**Mr. O'Malley:**

I agree with Mr. Flaherty on this one point, you know, that we cannot afford to lose any state legislators. I think we all know that Mr. Murphy and Mr. DeWida represent their areas and their constituents very well, but also I would like to say that the freshman legislators, Tom Petrone and Bob Horowitz also worked very hard. Not only would I like to keep all of our state legislators, I would like to add two more if we could, but we can't do it.

**The Chair:**

Let's have a roll call vote.

**Mr. Flaherty:**

Are we voting on the resolution?

**The Chair:**

On your resolution.

**Mr. Stone:**

I am voting for the resolution, but I think that my suggestion should have been taken, it may end out haunting us.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**AYES:**

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

**AYES 7**

**NOES none**

**MR. O'MALLEY AND MR. ROBINSON  
ABSTAINING**

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty:**

Mr. President, I just have one brief comment. I wish to commend this Council, I believe that we took the lead on this issue and we certainly should be commended.

#### **UNFINISHED BUSINESS**

**The Chair presented**

Bill No. 3635

Resolution approving the appointment by the Mayor of Ben Woods of 3715 California Avenue, as a member of the Public Housing Authority Board for a term to expire March, 1983.

Which was read.

**The Chair:**

Is there any discussion on the appointment?

**Michelle Madoff:**

Mr. President, I am going to vote aye on all appointments except Mr. Woods, not for personal reasons, because I think he is a very capable, competent

Councilman, but since I have been here three years and have not been appointed to any Commission because I am a threat to the Mayor, I will vote no on any other appointments until I am appointed to something.

**MICHELLE MADOFF'S REMARKS  
FROM THE MEETING OF MONDAY,  
JULY 27, 1981:**

**Michelle Madoff:**

I would like, for the record, to note that most of these new jobs are on authorities and boards which have lots of patronage and I think it is very interesting that in three years, I haven't been appointed to one, and it says a lot when you have a Member of Council who is new, who has been appointed to not only ALCOSAN, but to another authority which has a great deal of patronage jobs. Please have that put into the record.

**MR. DE PASQUALE COMMENTS**

**Michelle Madoff:**

Of course not, because I'd be — you know, again, those patronage things.

**MR. DE PASQUALE COMMENTS**

**Michelle Madoff:**

Please have that carried forward, I will not be here when the vote takes place, into the minutes of that vote.

**END - MICHELLE MADOFF'S  
REMARKS, 7/27/81.**

**The Chair:**

Is there any further discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. Stone  
Mr. DePasquale  
(Pres't)

**AYES 8**

**NOES 1**

**MICHELLE MADOFF VOTING NO**

And a majority of the votes of Council being in the affirmative, the appointment was approved.

Also,

**Bill No. 3637**

Resolution approving the re-appointment by the Mayor of Fred Gualtieri of 734 Sebring Avenue as a member of the Public Housing Authority Board for a term to expire March, 1986.

Which was read.

Also,

**Bill No. 3639**

Resolution approving the appointment by the Mayor of Mary L. Schleck Donnelly of 510 S. Linden Avenue as a member of the Historic Review Commission for a term to expire December, 1981.

Which was read.

Also,

**Bill No. 3641**

Resolution approving the appointment by the Mayor of Deputy Chief John Harper of 431 Bucknell Street as an ex-officio member of the Board of Code Review.



Which was read.

Also,

Bill No. 3643

Resolution approving the re-appointment by the Mayor of Robert Lurcott of 7401 Ben Hur Street as a member of the Historic Review Commission for a term to expire December, 1983.

Which was read.

Also,

Bill No. 3645

Resolution approving the re-appointment by the Mayor of Paul Brophy of 414 City-County Building, as a member of the Historic Review Commission for term to expire December, 1983.

Which was read.

Also,

Bill No. 3647

Resolution approving the re-appointment by the Mayor of Arthur Fidel of 5421 Maynard Street as a member of the Zoological Park Commission for a term to expire October, 1984.

Which was read.

**Mr. Stone:**

I move for approval of all of the appointments and re-appointments.

**Mr. O'Malley** seconded the motion.

**Mr. Givens:**

Mr. President, I want to vote for all of these people, I know all but one, and I have been briefed on the other

through resumes, but there are some fine people in this particular group, especially the new appointments, I vote aye.

**The Chair:**

Is there any further discussion on the appointments and re-appointments?

And on the question, "Shall the appointments and re-appointments be approved?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the appointments and re-appointments were approved.

**The Chair:**

Mike, before we have the Presentation of Papers, I would like to make an announcement that we have guests all the way from Florida, Irv and Kitty Masloff, Sophie Masloff's brother and sister-in-law. I wonder if you would stand Irv and Kitty, nice to have you with us.

## PRESENTATIONS

**Mr. Flaherty** presented

No. 3712 Resolution providing for the issuance of a warrant in favor of Tedco Construction Corp., (General

Contractor), in the amount of \$22,225.00; W. G. Tomko & Son, Inc., (Plumbing Contractor), in the amount of \$2,123.35; Garfield, Inc., (HVAC Contractor), in the amount of \$2,800.00; and H. F. Carter, Inc., (Electrical Contractor) in the amount of \$21,185.00, totalling in the aggregate \$48,963.35 for delay costs (increased labor and materials) in connection with the construction of Carnegie Library/Hill Branch, and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Stone presented**

No. 3713 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or inadvertently destroyed.

Also,

No. 3714 Communication from John E. McGrady, City Controller, submitting a special report on a performance audit on the administration of the Department of Parks and Recreation's park concessionaire contracts.

Which were read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 on all of the bills by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so that the bills will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 3715

Report of the Committee on Finance for August 5, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3584

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Atwood & Bates Construction Company in the amount of One thousand Four Hundred (\$1,400.00) Dollars in payment for 'Extra Work' furnished for the benefit of the City in connection with the Kennebec Street Sewer Reconstruction; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3585

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dan Construction Company in the amount of Eight Thousand Nine Hundred (\$8,900.00) Dollars in payment for 'Extra Work' furnished for the benefit of the City in connection with the widening and repaving of intersections at Spring Garden and Chestnut Street; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3586

Resolution entitled, "Resolution transferring the sum of Five Thousand (\$5,000.00) Dollars from Community Communications Special Trust Fund to Traffic Communications Special Trust Fund."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3594

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Thomas DiDiano Construction Company in the amount of \$33,000.00 in payment for extra work performed at Westwood Pool & Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3595

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Domino, Inc., in the amount of \$2,180.32 in payment for extra work in connection with the Frick Park Nature Center, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3596

Resolution entitled, "Resolution transferring \$39,000.00 from Project Code 4-10-01-1335-81 (PR81-04), South Side Ice Skating Rink-Roof Design, to Project Code 4-10-05-1353-80 (PR80-10) Westwood Design and Construction, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3597

Resolution entitled, "Resolution transferring (within the Capital Budget) the total sum of \$118,123.22, to Project Code No. 4-10-05-1480-81 (PR 81-14), Security Lights and Energy Conservation Lighting Replacement from the listed Project Codes."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3603

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Leasametric - Metric Resources Corporation in the amount of Four Hundred Eighty-three Dollars and Sixty-four Cents (\$483.64) in payment for monthly charges for acoustic couplers, printer and terminals, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3604

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$1,488.00 in favor of Raymond Crowe, 432 Herschel Street, Pittsburgh, PA 15220 in payment for the emergency removal of dangerous wall on rear of 1331 Page Street without previous authority of law and providing

for the payment thereof."

Which was read.

Also,

Bill No. 3605

Resolution entitled, "Resolution providing for issuance of a warrant in the amount of \$1,690.00 in favor of Omslaer Wrecking Company, Cliff Mine Road, R.D. #1, Coraopolis, PA 15108 in payment for demolition of fire damaged building located at 191 Shetland Avenue without previous authority of law, and providing of the payment thereof."

Which was read.

Also,

Bill No. 3611

Resolution entitled, "Resolution providing for the issuance of a \$825.00 warrant in favor of Thomas P. & Michelle A. Waters in payment of claim for property damage."

Which was read.

Also,

Bill No. 3612

Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Sara Page in payment of claim for personal property damage."

Which was read.

Also,

Bill No. 3613

Resolution entitled, "Resolution providing for the issuance of a \$842.65 warrant in favor of Dorothy M. Kamin,

Daniel G. Kamin, Robert S. Kamin, Herman Kamin, Jr. and Pittsburgh National Bank in Trust for Herman Kamin in payment of claim for property damage."

Which was read.

Also,

Bill No. 3614

Resolution entitled, "Resolution providing for the issuance of a \$975.00 warrant in favor of Harry G. Goff, Hugh C. Goff and Rose Smilay in payment of claim for property damage."

Which was read.

Also,

Bill No. 3615

Resolution entitled, "Resolution providing for the issuance of a \$2,200.00 warrant in favor of Carl W. Klevemann in payment of automobile damage."

Which was read.

Also,

Bill No. 3616

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Mary F. Ricketts, M.D., in the aggregate amount not to exceed \$300.00 for professional services to be rendered August 17 and 19, 1981, for the benefit of the City in connection with physical examinations administered to return to duty School Crossing Guards and applicants."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3617

Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title II, Part B, and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
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Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3691

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.03, collection through employers, by changing subsection (b) to provide for modification of the due date for the remittance by the employer of taxes deducted from the compensation of employees."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

MR. GIVENS ABSTAINING

And a majority of the votes of

Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3692

Resolution entitled, "Resolution of the City of Pittsburgh, increasing the bonded indebtedness of the City, by the issuance of notes in the total principal amount of \$10,000,000, for the purpose of funding unfunded debt, which debt was approved by order of the Court of Common Pleas of Allegheny County, Pennsylvania."

Which was read.

**Mr. Stone:**

There are just some clean-up matters on these bills, the caption of the resolution is to be revised to more clearly summarize the content. Number two, Section two, they are eliminating the two General Obligation Notes, the mention of it, that there are two notes. The third one is changing the title from "Trust Fund" to "Real Estate Refund Trust Fund", it is giving a name to it rather than just the generic trust fund, there are no major changes. I move for approval on those changes.

**Michelle Madoff:**

Question. Clarification. Are we going out for bonds or for notes? Temporary notes? Short term notes?

**Mr. Stone:**

They are notes that are already —

**Michelle Madoff:**

Short term notes, correct?

**Mr. Stone:**

They are contained in that legislation.

**Michelle Madoff:**

Originally we were going out on a \$70 Million bond and a \$10 Million bond. Are we now going out on a note?

**Mr. Stone:**

These are the \$10 Million notes.

**Michelle Madoff:**

They are not a bond. They are not a 25 year bond, they are a short term note.

**Mr. Stone:**

If you look at 3692 at the end you will see the actual note. PNB and Mellon.

**Michelle Madoff:**

I don't have a copy, I was not here last week.

**Mr. Stone:**

Its in your files.

**Michelle Madoff:**

Is it attached here? I take your word for it. Is it a note or a bond? If its a note, fine.

**Mr. Stone:**

Its a note.

**Michelle Madoff:**

And it has an expiration date of? I don't have a date on mine. Does anybody have a date it expires?

**The Chair:**

Ron (Schmeiser), do you want to speak on that?

**Mr. Stone:**

Look at Section 6.

**Mr. Schmeiser:**

What is the question?

**Michelle Madoff:**

When is the note due? Its a note not a bond, right?

**Mr. Schmeiser:**

Its a five year note.

**Michelle Madoff:**

A five year note.

**Mr. Schmeiser:**

Interest only from the first two years plus \$5,000 principle.

**Michelle Madoff:**

Any service charge to attorneys or any fees or any — what kind of dollars are we talking about?

**Mr. Schmeiser:**

A \$10,000 legal fee.

**Michelle Madoff:**

What is the total cost on the bond altogether.

**Mr. Schmeiser:**

With interest, well, you can't calculate the interest because the

interest fluctuates.

**Michelle Madoff:**

Ballpark it. With the service fee, the fee that the broker is going to get and everything. We know what it was on the \$70 Million, it was about \$4 Million.

**Mr. Schmeiser:**

I can't. It is presently 11.7.

**Michelle Madoff:**

Is it about a million dollars?

**Mr. Schmeiser:**

Yes, considerably more than that. Over a million.

**Michelle Madoff:**

Over a million dollars. Can we get a shorter term note?

**Mr. Schmeiser:**

No.

**Michelle Madoff:**

Why not?

**Mr. Stone:**

It doesn't meet out financial payment schedule for the next five years.

**Mr. Schmeiser:**

Because we have heavy debt service in the next two years.

**Michelle Madoff:**

What's going to happen with next year's money on the \$10 Million notes?



We're going to have to go for some more money, is that correct? The courts are constantly awarding in favor of the —

**Mr. Schmeiser:**

There will be a larger budget for the refunds next year.

**Michelle Madoff:**

What kind of dollars do you see happening there? Do you have any feeling yet?

**Mr. Schmeiser:**

No.

**Michelle Madoff:**

I mean this was raised by Council, they felt that last November you ought to know but because of the computer breakdown in the Controller's Office we didn't know, do you know now? Has that computer been fixed?

**Mr. Schmeiser:**

That wasn't the reason, we didn't know.

**Michelle Madoff:**

Well that's what you said here, it's a matter of record.

**Mr. Schmeiser:**

That's not true.

**Michelle Madoff:**

There was some problem in the Controller's Office with a new system being put in and therefore we didn't know at that time what the amount of the bills were going to be, what the indebtedness would be. Have you any feeling now as

to what it is going to be.

**Mr. Schmeiser:**

Now, we don't have a feeling.

**Michelle Madoff:**

When will we —

**Mr. Schmeiser:**

There is a re-assessment going on right now.

**Michelle Madoff:**

Allright, how many cases have we lost to date since the \$10 Million?

**Mr. Schmeiser:**

How many cases?

**Michelle Madoff:**

Yes. What kind of dollars are we looking at as of now? Its going to accumulate. As of now. Where is it now?

**Mr. Schmeiser:**

We're still getting reductions over from the County, and —

**Michelle Madoff:**

I mean, it is nothing you are responsible for, I'm just trying to get a feeling.

**Mr. Schmeiser:**

Over \$6 Million.

**Michelle Madoff:**

Its already over \$6 Million for next year —

**Mr. Schmeiser:**

For this year.

**Michelle Madoff:**

Because we haven't committed the whole ten, we only committed six, so we are leaving ourselves a little cushion, is that what you are saying?

**Mr. Schmeiser:**

Well, if its less than \$10 Million, we are not going to borrow the \$10 Million.

**Michelle Madoff:**

Well I understand that, but I'm just saying that it could well go over the \$10 Million.

**Mr. Schmeiser:**

I don't expect it to for 1981.

**Michelle Madoff:**

What about for the final judgement, when they are all settled. For 1982.

**Mr. Schmeiser:**

This will handle all reductions up through 1981.

**Michelle Madoff:**

Well you are not understanding my question. What do you foresee as of this point for 1982? You have no feeling for it?

**Mr. Schmeiser:**

No feeling at all. We are presently reassessing the City, and we don't know what those numbers will be.

**Michelle Madoff:**

You know that we had six people working on that editorial that I did for the Press, guest editorial, and they responded by begging the issue. Everybody with any intelligence understands what legal arbitrage is and everybody knows we invest that money, I'm sorry that they thought that I didn't understand it, I didn't think it warranted a response in the editorial.

However, I think the important issue is that our figures which have been documented show that this year we had set aside something like \$13 Million, Mr. Givens, I think you are more aware of it than anyone, because you were the first to point it out, and I'm a late learner, but I am finally learning — for debt service, in the Sinking Fund, in the year '82, we go to something like — if memory serves me well, something like \$32 Million, we drop to \$24 Million, then we go to \$71 Million or \$77 Million, based on what we have borrowed before. Is it your intention, when we get the \$71 Million, to re-finance again?

**Mr. Schmeiser:**

Absolutely.

**Michelle Madoff:**

Because nobody could ever meet one third of their budget to pay off debt service.

**Mr. Schmeiser:**

Of course.

**Michelle Madoff:**

So that what we are going to do is end up as another New York or another Cleveland? Ultimately you have to pay back what you borrow.

**Mr. Schmeiser:**

Not even close. We borrowed because of high interest rates in December. We issued \$37 Million of three-and-a-half year notes with the intention of re-financing that when rates go down. If the rates don't go down, we're going to have to re-finance it anyway, because you can't finance bridges, streets and sewers over three and a half years.

**Michelle Madoff:**

What we really need is metropolitanism, these people all use those bridges, and nobody wants to give up their — I'll be happy to give up my seat on Council if we can get legislators from all over this county. That's what we really need because there is no way this City can stay solvent, and under pressure — and pushed, you did admit that we are getting close to our borrowing limit. We've gone from BAA 1 rating down to BAA, which is with Moody's and we're down to A, and we drop some more and we're in trouble. We're facing a \$77 Million debt service in the year '84 is unconscionable, and how much more can you re-finance? We can't come down very much.

**Mr. Schmeiser:**

Our intention was always to re-finance the \$70 Million.

**Michelle Madoff:**

Well I know the intention is always to re-finance —

**Mr. Schmeiser:**

And we will.

**Michelle Madoff:**

But we're going to be borrowing more money and more money before we re-finance that money.

**Mr. Stone:**

Mr. President, if I may, a point of order. We already voted on this matter and all we are doing is taking the notes in line with what we have already agreed to do. I think we have passed that point, if I may.

**Michelle Madoff:**

Mr. Stone, we didn't pass the point, because you ruled me out of order. I have since consulted with my attorneys and found out that you were illegal in ruling me out of order because you are not allowing the public, who elected me, that they have a voice, through me. Now, that is why I am taking the time now to ask those questions so I can vote clearly.

**Mr. Stone:**

Well, we won't have any dignity in those remarks, but aside from that —

**Michelle Madoff:**

I have now been answered, thank you. By somebody competent.

**Mr. Stone:**

Thank you.

**Michelle Madoff:**

Like Mr. Schmeiser.

**Mr. Givens:**

I just have one comment Mr. President, I abstained on this particular issue once before when it did come up and this time I would like to indicate my

no vote on it.

Did I hear a bottom figure of \$13 Million, this is going to cost? Or, what is the exact cost to the City of Pittsburgh?

**Michelle Madoff:**

I think it is 11.5.

**Mr. Givens:**

Ron?

**Mr. Schmeiser:**

There are a lot of imponderables, because you are authorizing \$10 Million of borrowing.

**Mr. Givens:**

I'm talking all total cost of — you know, what we are paying —

**Mr. Schmeiser:**

But we may not need that whole \$10 Million. We don't have the final figure.

**Mr. Givens:**

Okay, taking that \$10 Million over the five or six year — five year period —

**Mr. Schmeiser:**

Secondly, the rate floats with the prime.

**Mr. Givens:**

Pardon me?

**Mr. Schmeiser:**

The rate floats with the prime, it goes up and down as the prime goes up and down, so I can't really calculate what

the cost will be.

**Mr. Givens:**

Okay, well, averaging that out over a period of five years, and taking what the prime has been over the last five years, what would your calculation then be, approximately?

**Mr. Schmeiser:**

It would be close to a million and two, approximately, the first two years.

**Mr. Givens:**

A million and two, and that's all cost?

**Mr. Schmeiser:**

That is interest.

**Mr. Givens:**

The cost of floating the note and everything. Well, that was my exact reason, I mean, this is taxpayers' money and the taxpayers, you know, we are going to have to tax them, someplace in the future for \$1.2 Million and I think if I, as I am a taxpayer of this City, would rather have it taken out of my taxes for next year, meaning give me reduced property tax for the coming year or two years if we could, and I think people would logically buy that. It is their money that we are using, and all I am saying is, in voting no, is that I think the people of the City of Pittsburgh would rather have a reduction in their real estate cost over this year and the next year, if that could be possible, rather than going out and borrowing the money at this time of high inflation, and with the additional note, that this is a floating note, which either can go up or down. Generally they take the highest amount of money on a particular day on this, and

I don't know if that is to the best advantage of the taxpayers in the City of Pittsburgh.

**Mr. Stone:**

Move the question.

**Michelle Madoff:**

We're voting, that was his vote, he voted no, I believe.

**Mr. Givens:**

No, we haven't started the vote yet.

**The Chair:**

Dick, isn't all the money we expend in the City of Pittsburgh taxpayers' money?

**Mr. Givens:**

You'd better believe it is.

**The Chair:**

Well then, you know, why is this any different?

**Mr. Givens:**

I'm saying here, this is costing us \$1.2 Million. We're going to have to borrow that, or we are going to have to tax again, the people of the City of Pittsburgh for \$1.2 Million.

**The Chair:**

If you can find a better way to do it Mr. Givens, go ahead.

**Mr. Givens:**

Now, I understand the other side of that, if you don't pay these people,

they can draw a six percent interest, I believe, if I can recall back some 45 days ago, and I would like my remarks, so I don't belabor this Council, I just came back from a nice vacation, please note me back, I'm not absent any longer, and I don't want to belabor the point Mr. President —

**The Chair:**

I'm glad that was a short comment. If it was a long one we'd be in trouble.

**Mr. Stone:**

Mr. President, am I correct? Do we have a motion and a second on an amendment?

**Michelle Madoff:**

Discussion.

**The Chair:**

Question called for. Discussion?

**Mr. Stone:**

The discussion should be to the amendment.

**Michelle Madoff:**

Mr. Schmeiser, since the hip bone is attached to the thigh bone, when we borrow money, it compounds on other monies, and I think Mr. Givens —

**Mr. Stone:**

Mr. President, I still would like discussion restricted to the motion. The motion is relative to the amendment which is a clean up of the bill. That is the amendment and that is the only thing is before us. What I have heard here is a lot of chatter about the bill itself, but

this is only the amendment.

**Michelle Madoff:**

Let's get it out of the way and we'll get to the chatter on the amendment — on the bill.

**Mr. Stone:**

So, let's pass on the amendment if I may. It has been moved and seconded, move the question.

**The Chair:**

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Woods  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7                      NOES none  
MR. GIVENS AND MICHELLE MADOFF  
ABSTAINING

And a majority of the votes of Council being in the affirmative, the amendment was approved.

**Mr. Stone:**

Move on the bill.

**Michelle Madoff:**

On the bill, discussion? Is there a second on that? Is there a second before we have discussion?

**The Chair:**

We don't have a second on moving the bill, we just have a vote. Do you have discussion on the bill?

**Michelle Madoff:**

Yes please. Mr. Schmeiser, as I started to say, inappropriately at the wrong time, but now we are at the right time, since the hip bone is attached to the thigh bone, and we are compounding — I said, since we are compounding dollars onto dollars, and since the \$70 Million at present rate of interest, without the assumption that we can, hopefully, re-finance it, that interest rates will drop. At the present moment, the \$70 Million has to be paid back at the rate of \$207 Million. I have consulted with six people in the Bunding Underwriting business. They told me — one person approached me in the street and said, "Boy were you on target, but you do understand that nobody in the City is going to speak out because most of them have a piece of the pie. We are bringing in people from out of town, we are going to go on all of the talk shows and we are going to talk about what the bond issue is and we welcome you to join us because I think we ought to hear both sides of the issue".

**Mr. Schmeiser:**

I would be glad to.

**Michelle Madoff:**

And I think that what Mr. Givens is stating is eminently correct, I think you are doing an outstanding job in that your job is not to wonder why, yours is but to do or die, like the Corps of Engineers, a straight stream is a good stream. You were told to go out and raise \$70 Million, you did it in the most efficient manner that you possibly could

**Mr. Schmeiser:**

Extremely favorable interest rates.

**Michelle Madoff:**

Fine, and I think with your record, I expect only the best, however, you are not responsible for being told to go out and raise the money. We have untapped sources of revenue in the City, we have these pieces of property that could have been sold. Even Mr. DePasquale, the President of Council, once said to the Mayor, "Why don't you give them to real estate agents to sell". There are other sources of revenue we have not tapped, other avenues. It is sad that we are sitting here thinking of the \$70 Million, paid back at \$207 Million. When you borrow money on a mortgage, because we always relate it to a house, at \$50,000, and you pay it back at 6%, or even now at 12% or 14%, you are paying back, maybe, \$150,000 or \$200,000. But when you borrow \$70 Million, you are paying back \$207 Million. And the fact remains that somewhere, even if you re-finance that, we don't know that the rates are ever going to go down that low that instead of it being \$207 Million, it will only be \$160 Million, and the people of this community cannot afford that monkey on their back, and that is what Mr. Givens has been saying and I echo his sentiments. We have no choice now because, as I said once before, you know, when you are sick, you've got to take the fast cure and the best cure possible and that's what you are doing, but I think its important —

**Mr. O'Malley:**

What's your point? What is your point?

**Michelle Madoff:**

My point is that I want the public, because — what we really need in Council, as I am becoming increasingly aware, are some fiscal people. In other words, maybe people elected to Council ought to be people with hearts and who have some feeling for other issues, but they should have some backing in finance. When I was attacked in the media for saying poor Michelle, I then went out and made it a point to get educated, like I did in the environment, and I'm going to keep on getting educated, and I would like to see this Council, and I know some members, like yourself, are trying to get — Mr. O'Malley — people to act as resource people and that is what we need. We need more briefing sessions before bond issues, not have them come up, because, even Mr. Stone cannot go back on the fact that for two or three years he's been saying, "Why don't we go out and borrow the money now" — Councilman Stone, "because inflation is going to eat it up", we could apply that same rule now, but its a little after the fact. If we had gone out and borrowed it when he said to borrow it, we wouldn't be in this position. Council proposes and the Administration disposes. It is unfortunate that we didn't have hindsight, but it isn't even a matter of hindsight, it was a matter of running for election, it was a matter of not borrowing money when you are in an election year, and that is one of the reasons I haven't been appointed to —

**Mr. O'Malley:**

What is your point?

**Michelle Madoff:**

I'm making my point and I think everybody understands my point. The point is that people need to be

educated. We just don't vote without understanding why we are voting, and that is why I'm not appointed to any boards or commissions because I just shake them up just as I am on this bond issue.

**The Chair:**

Michelle, you've made that speech 25 times.

**Michelle Madoff:**

Get ready to hear it again and again, because the art of repetition is education.

**The Chair:**

You are boring the hell out of me, I don't know about anybody else.

**Michelle Madoff:**

Well of course I'm boring the hell out of you, you said you don't even bother to read the bills until you get here.

**The Chair:**

I read the bills, I don't have to tell you anything.

**Michelle Madoff:**

There is no way of voting against the bill, but I think the people ought to know what is happening, and because I cannot really vote for it in conscience, I'm going to abstain.

**Mr. Stone:**

Call the question.

**Mr. Givens:**

I just have one other —

**The Chair:**

Dick, let's move on it. Come on, you have also said this 55 times.

**Mr. Givens:**

I just have one other question, if I might, to round my —

**The Chair:**

God. What happened to your vacations, you were having such a good time.

**Mr. Givens:**

I didn't hear that remark.

**The Chair:**

I just asked what happened to both of your vacations, I understood you were having a good time.

**Mr. Givens:**

Ron, could you indicate to this Council, have we ever borrowed notes on a floating interest rate?

**Mr. Schmeiser:**

Yes.

**Mr. Givens:**

When.

**Mr. Schmeiser:**

Last September.

**Mr. Givens:**

December?

**Mr. Schmeiser:**



September.

**Mr. Givens:**

September.

**Mr. Schmeiser:**

We borrowed \$16 Million. That is my recollection.

**Mr. Givens:**

And that was over how long a period of time?

**Mr. Schmeiser:**

Eighteen months.

**Mr. Givens:**

Eighteen months. See, this is six years.

**Mr. Schmeiser:**

Yes.

**Mr. Givens:**

This is six years, and you'll probably get real good interest rates because I think, and to a certain degree, that favors the banks, not the people of the City of Pittsburgh. I mean, you are gambling here, is what I am trying to say, and you are hoping that the interest rates will go down. If they don't go down and they get higher, then we are going to pay much more than that \$1.2 Million that you so indicated.

**Michelle Madoff:**

No, its being used to get us out of the budget jam this year.

**Mr. Schmeiser:**

Dick, this is the best we could

do. I shopped this loan in Philadelphia and New York, this is the best rate we could get, and really, the local banks are doing us a favor.

**Michelle Madoff:**

It might be of interest to note that one of the Presidents and Chairman of one of the local gas companies read the editorials, both of them, and said, "My God, they need money, and they are going out for bonds", they would never go out in this market, they are going to wait for a window into the next year. I was hoping interest rates would come down this year, but we anticipate a window after the first of the year.

**The Chair:**

Who said this? The President of the gas company?

**Michelle Madoff:**

One of the gas companies.

**The Chair:**

Those thieves? The charges they have been giving the public and they should make comments? Gas companies? Utility companies?

**Mr. Stone:**

Mr. President, let's call the vote, point of order.

**Michelle Madoff:**

Mr. McCray, I'm going to go with no on Bill 3692, instead of abstaining because I really feel that in the long term we are in big trouble, we could have waited until a window in the next year, and I would like all of my comments from all of the meetings

brought forward, so that Mr. DePasquale can get bored reading them. On the bond issue, anything that has not been recorded on the bond issue, on the \$70 Million, including today's comments.

**Mr. Givens:**

That's everything over the last three months.

**Michelle Madoff:**

Sure. What else have they got to do with their time?

**MICHELLE MADOFF'S REMARKS ON BILL NO. 3336 FROM THE MEETING OF WEDNESDAY, JUNE 17, 1981:**

**Michelle Madoff:**

I think he has gone to a lot of trouble to get this and we owe him the courtesy of looking at it.

You are really getting to me. I am sorry, this is still a Democracy and Councilman Givens has the right to speak and I want to hear it. I want to hear what he has to say.

I just want to understand what you are saying. I think everyone here agrees with you and I think Mr. Stone probably agreed more than anyone else, that if we borrowed this money when he suggested we borrow it over and over again, we wouldn't be in this bind. Nobody has hindsight, who could have known that the interest rates were going to go to 2-1/2% when we are at 6% now, nobody knows that.

As I stated the other day, we are ill and what is the best medicine to take? Now, the question you raised, which was a valid one, and what I would like clarified, and you didn't clarify it for me, and perhaps Mr. Stone or Mr.

Gaetano and Mr. Eddie Albert could clarify it. We are going out to borrow \$70 Million, would that cover the projects only until 1981? I think we were told that it would only be the 1981 projects, then we are going to borrow every year. And, we have paid off sufficient of that, so when we go out to borrow projects, because I related yesterday, after our Tuesday meeting, that the inner structure in this City is going to bring down Renaissance II, according to Allegheny Conference and all of the experts, and I am not an expert unless we are doing something about our sewers, waterlines, etcetera. We are the only City that I know of that uses the Water Department to support the City. It goes in the General Fund. Its insanity. Somewhere along the line we've got to catch up. Somewhere along the line. And the question that I am asking is, will this \$70 Million cover these projects that are not ready to go, or will we then be borrowing more money to cover these projects that are not ready to go. You didn't clarify that.

To clarify, for Mr. Givens, we are not borrowing the money to pay for back indebtedness, but, we are borrowing to pay for 1981 scheduled projects.

Is there any money for the 14?

The question that I asked you is, is there money available to pay for those projects and is that why we are going out and borrowing the money?

I move to hold this until Thursday.

Mr. Stone, I want to ask you a question. I want to ask a question on what he just said.

I don't think you can let this lay, because you made some statements that I need some clarification on, very quickly. It is possible, because I have

personally taken all of my worldly wealth and invested it in a six month fixed rate because I think the interest rates are coming down. So, on the projects that we were not ready to go on right now, could we hold off for three or four months and then go and borrow the money, because I am positive that they are coming down.

Then it would make enough difference to hold it, if the rates went down substantially, say from —

No, you didn't hear me. I am sorry. I understand. You are saying that the cost to go out and do the business may be greater. If I understand you, then what we would say — I don't believe that.

But if we are not ready to go on the project, then we are not even close to going on some of the projects because of government rules or because of what you have said. Say, if they are six months away, or four months away, and Eddie would certainly be able to tell us that, why should we wait and say, go out for \$35,000 or \$30,000 now and if the interest rates are going to come down substantially in the next three or four months, then go out with \$40,000. I am siding with the experts. I logged my money in. I can get more money right now if I didn't do what I did.

You don't think we are going to go down on the interest rates from 16%?

Not the experts that I am talking to. We must be talking to different experts, because everybody that I am talking to, including my broker, wasn't too happy to part with my money, but he said yes, you are doing the right thing to go out and buy CD, and to lock your money in because I think it is coming down.

How are you going to sit there and justify to Mr. Givens that in three months from now, we have half the projects not ready to go and the interest rates have come down substantially. They can't go up a hell of a lot more. I think we ought to go for half and wait for that.

Why can't we go for half now and half later, within three months?

**END, MICHELLE MADOFF'S REMARKS ON BILL NO. 3336 - 7/17/81.**

**MICHELLE MADOFF'S REMARKS ON BILL NO. 3336 FROM THE MEETING OF WEDNESDAY, JULY 1, 1981:**

**Michelle Madoff:**

In the numbers that you gave us Mr. Katz, on the \$70 Million bond, and we are going to go out for an additional bond and Mr. Schmeiser, being the honest man, he did when he was asked the right question, did say that we are approaching a point of no return, that we are getting into a danger area although we do have the right legally to abhor even more than we have.

You do know that we are only going to get \$4-1/2 Million from Renaissance II in additional taxes and the taxes have been lowered on the real estate taxes and we don't know how much —

Now, let us go back. Just a point of clarification, \$25 Million unlike the \$40 Million I was told, was an error in the figure that I was given. Is it \$25 Million and not \$40 Million, the \$25 Million is triple rated and therefore very much insured; correct?

**Mr. Katz:**

Yes, totally insured.

**Michelle Madoff:**

Would you say the percentage that is being paid back is something in the nature of 200%?

**Mr. Katz:**

You are absolutely wrong.

**Michelle Madoff:**

That's what I want to know.

**Mr. Katz:**

The total is 11.255%. The calculation that would lead you to say that 200% is the correct number, is to take the total interest rate and divide by the principle and as I am sure you remember, that is not the way interest is calculated. Its like a mortgage. The example that Councilman Givens gave, if you have a \$50,000 mortgage with a 29-year term, you would be paying approximately \$200,000 for that \$50,000 mortgage. We're doing the same thing with this \$70 Million loan. Proximately 15-1/2% would be your mortgage rate.

**Michelle Madoff:**

If I had paid cash as opposed to paying it over 29 years, what would the difference be? If some angel in the industry or Dick Scaife said I am going to give you a \$70 Million loan without interest —

**Mr. Katz:**

You would pay it back without any more interest.

**Michelle Madoff:**

And if you have to go out and borrow that money, what is the total amount of interest? Is it 200%?

**Mr. Katz:**

No.

**Michelle Madoff:**

What percent is it?

**Mr. Katz:**

You have to take in the time factor of money. If it was all due in one year, if you owed \$137 Million —

**Michelle Madoff:**

You are earning money on that money.

**Mr. Katz:**

It has nothing to do with earning money. If you owed \$137 Million on \$70 Million borrowed in one year, then the interest rate would be 200%.

**Michelle Madoff:**

In one year.

**Mr. Katz:**

But you have 25 years to pay it back.

**Michelle Madoff:**

That's doubletalk again.

**Mr. Katz:**

No, it is not.

**Michelle Madoff:**

Okay, I am going to buy a house. I'm thinking of buying a house. If I sell my house and I get enough money to buy the other house I want to buy and I pay cash for it, I don't need a mortgage, do I?

**Mr. Katz:**

Correct.

**Michelle Madoff:**

And, if I go out and take the mortgage over whatever period of time, by the time I pay for that house, had I paid cash or paid my mortgage, it is 200%; is that correct?

**Mr. Katz:**

No.

**Michelle Madoff:**

How do you come with no? I'm speaking of the total number.

**Mr. Katz:**

No, that is not the way interest is calculated. That is interest. You are talking about interest rates, interest payment?

**Michelle Madoff:**

No, maybe I'm using the wrong term.

**Mr. Katz:**

You are.

**Michelle Madoff:**

We are getting into semantics now.

**Mr. Katz:**

I deal in specifics.

**Michelle Madoff:**

The term that I want to know is when you pay back the amount of \$70

Million and when you finally pay it all off, will it be a 200% over the original amount of money you borrowed?

**Mr. Katz:**

Yes.

**Michelle Madoff:**

Thank you.

**Mr. Katz:**

First of all, the 200% number is a number that is misleading. It is not relevant to the subject of interest. We are talking about interest. You are going to pay \$207 Million back for a \$70 Million loan.

**Michelle Madoff:**

That's a lot of money.

**Mr. Katz:**

Well, you are going to pay \$137 Million back for a \$70 Million loan.

**Michelle Madoff:**

I don't think that was the issue. I just want to know what I am voting on.

Mr. Katz, I have before you, and I had circulated to Council, a resolution that I planned to introduce on Monday, but it is important that Council be aware of it before we vote today because, despite the fact that people don't want to sit here and listen to Mr. Givens unless we vote on the rate we don't have the bond and this is very important as to whether we vote on the bond.

Mr. Schmeiser, can we, or will we take the interest from the \$70 Million bond and put that in a separate account to defray the cost of the bond to pay it

back rapidly as opposed to putting it in the general fund and use it for operating expenses?

**Mr. Schmeiser:**

As all said, we will take the interest earnings and put it in the general fund.

**Michelle Madoff:**

To pay the costs of operating the City this year because we are short of money.

**Mr. Schmeiser:**

That's not the purpose of the bond Michelle.

**Michelle Madoff:**

We can't go out for bid unless the money is there. But Mr. Givens' point is well taken. But, if indeed, there are some projects that cannot even be started until later on next year and I got a list from every department head that some project cannot even go out until March and you know there will be delays until April or even May. So, legally, under the arbitrage law, we can go out and borrow this money and we're not in violation of the law and we have that money to bail us out, the quick fix, and I'll tell you what it boils down to. It boils down to going to a Master Charge and borrowing money to pay interest on your American Express and then borrowing money from your American Express to pay your interest on your Visa. Now, that is totally unacceptable and my resolution addresses that. I want to see that money put in a separate account to pay back that bond issue. I didn't get an answer. I asked my question and I demand an answer! We are not voting until I get an answer!

You are not the only member of Council Mr. Stone, elected to this City. I want an answer before we vote, will you give me an answer Mr. Treasurer? Would the people in this community like to hear an answer? Its your money. Could I have an answer to my question?

May I have an answer to my question Mr. Treasurer? You are not railroading us baby! May I please have an answer to my question? Ron, answer the question or I'll sue you, damn it! You are not going to give me an answer to my question? Are you afraid to give me an answer to my question?

**Mr. Schmeiser:**

I am absolutely not afraid Michelle, because you are way off base.

**Michelle Madoff:**

I just want an answer to my question.

**Mr. Schmeiser:**

The earnings go into the general fund but the debt service is paid out of the general fund so the effect is what you are suggesting.

**Michelle Madoff:**

That's what I wanted to know. I don't think that was an unreasonable request.

**END - MICHELLE MADOFF'S  
COMMENTS, 7/1/81.**

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Woods  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 6 NOES none  
MR. FLAHERTY, MR. GIVENS AND  
MICHELLE MADOFF ABSTAINING.

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3700

Resolution entitled, "Resolution transferring the sum of \$50,000.00 from Code Account Number 1132-6, Street Lighting Contract, and the sum of \$50,000.00 from Code Account Number 1144, Gasoline and Diesel Oil, to Code Account Number 1148, Automotive Parts, all within the Department of Supplies."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. Robinson  
Mr. Woods  
Mr. Stone  
Mr. DePasquale

Mr. O'Malley

(Pres't)

AYES

NOES

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff:**

Mr. President, on Bill No. 3585 and any other bills of that nature, this is not a vote aye or against, I've had a number of calls in my office that the sewers, on these streets that are being repaved, are set low, and there were some potholes —

**The Chair:**

Wait, wait, where is 3585?

**Michelle Madoff:**

We just voted on it.

**The Chair:**

Allright, we're past that, we voted on it. If you want to comment on it at the end of the meeting, we are beyond that. You had your opportunity.

**Michelle Madoff:**

I just want to get a letter to Public Works, that on all potholes, created by sewers, that they be raised because we are getting a lot of claims. They put my car out of alignment.

**The Chair:**

Okay, do you have that Mr. Perry?

**Mr. Givens presented**

Bill No. 3516

Report of the Committee on Public Works for August 5, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3587

Resolution entitled, "Resolution granting unto Eugene Chiarelli, 4741 Liberty Avenue, his successors and assigns, the privilege and license to construct, maintain, and use at their own cost and expense, a vestibule to serve the front entrance of 4741 Liberty Avenue in a portion of sidewalk of Liberty Avenue in the Eighth (8th) Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3588

Resolution entitled, "Resolution vacating Ober Street from Onondago Street to Olivia Street in the 14th Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens

Mr. Robinson  
Mr. Woods

Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 3717

Report of the Committee on Planning, Housing & Development for August 5, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3305

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 5 & 6 by changing from 'R2' Two-Family Residence District to 'RP' Planned Residential Unit Development District all that property bounded by: Lees Street; the northerly boundary line of the Charles Hoffer & Louise Weber Plan of Lots recorded in Plan Book Volume No. 21, Page 172; the easterly boundary line of the Charles Falck Plan of Lots recorded in Plan Book Volume No. 23, Page 155, the rear property boundary line of Block 75-C, Lots Numbered 272, 270, 268, 266 and 255 in the Allegheny County Block and Lot System, 27th Ward."

Which was read.

Also,



Bill No. 3306

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Mellon-Stuart Realty Co., for construction of a nine-story high rise building with 98 dwelling units as a housing facility for the elderly with parking for 20 automobiles on 44,802, sq. ft. of property located east of Fleming Avenue at the terminus of Letort Street, 27th Ward."

Which was read.

Also,

Bill No. 3606

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1420, effective December 31, 1980, as previously amended by Resolution No. 559, effective June 12, 1981, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development Block Grant Program', so as to transfer several programs from the Department of City Planning and the Supplies Department to the Department of City Development and Department of Public Works respectively; and further, to adjust the project code of DCD-81-02, 'Section 108-NBR Demonstration Program'."

Which was read.

Also,

Bill No. 3607

Resolution entitled, "Resolution authorizing the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with Pittsburgh

Opportunities Industrialization Center to administer a Contracator Revolving Fund Program for an amount not to exceed \$325,169.09."

Which was read.

Also,

Bill No. 3608

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to deliver an amount not to exceed Twenty-Two Thousand (\$22,000.00) Dollars to Housing Opportunities, Inc., from the Neighborhood Housing Fund for site development costs on the Mossfield-Sullivan Site in Garfield."

Which was read.

Also,

Bill No. 3609

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 25th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 23-C, Lot Number 173."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### **Michelle Madoff presented**

Bill No. 3718

Report of the Committee on Water for August 5, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3589

Resolution entitled, "Resolution providing for a contract or contracts for the installation of fire hydrants in various locations and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3590

Resolution entitled, "Resolution providing for a contract or contracts for the installation of fire hydrants in various locations; and providing for the payment of the cost thereof."

Which was read.

### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Woods
Mrs. Masloff	Mr. Stone
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### **Mrs. Masloff presented**

Bill No. 3719

Report of the Committee on Parks and Recreation for August 5, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3598

Resolution entitled, "Resolution providing for the filing of an application or applications by the city of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the development of the North Shore Park, providing for the execution of a Grant Contract and for the filing of

requisitions and other data; approving the North Shore Development, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for certification of authorized signatures; and for the creation of the North Shore Park Development Trust Fund."

Which was read.

Also,

Bill No. 3599

Resolution entitled, "Resolution amending Resolution No. 933, approved September 19, 1980, effective September 26, 1980, entitled, 'Providing for the letting of a contract or contracts for the replacement of the gym floor at Brookline Recreation Center; and providing for the payment of the cost thereof,' by reducing the maximum amount of the contract from \$30,000 to \$20,000."

Which was read.

**Mr. Stone:**

Can we have Bill No. 3599 recommitted Sophie?

**Mrs. Masloff:**

Yes. I move to recommit.

**Mr. Stone** seconded the motion.

**Mr. Givens:**

What are they recommitting that bill for?

**Michelle Madoff:**

I tried to ask that, I couldn't get an answer.

**Mr. Givens:**

What are they recommitting Bill No. 3599 for?

**Mr. Stone:**

Mr. President, pardon me. I asked for a bill to be recommitted, I'd like to change that. This is not the one we want to change.

**The Chair:**

Sophie, will you withdraw your motion please?

**Mrs. Masloff:**

I withdraw my motion.

**Mr. Stone:**

I withdraw my second.

**The Chair:**

So we are voting on all of the bills in Parks and Recreation.

**Mr. Stone:**

I apologize for the error.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mr. O'Malley  
Mr. Woods  
Mr. Stone

Mrs. Masloff

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 3720

Report of the Committee on Lands and Buildings for August 5, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3581

Resolution amending Resolution No. 394, approved 4/13/81, which included Lot 26-N-27 with the original sale of 4/11/80 (Item A of Resolution No. 263), to James LeRoy Walls and Cynthia J. Walls, his wife, of vacant land, in the 5th Ward (26-N-26A), for the sum of \$600.00. Amendment is to include description of lot.

Which was read.

Also,

Bill No. 3582

Resolution entitled, "Resolution amending Resolution No. 604, effective June 13, 1981, entitled, 'Providing for a Cooperation Agreement or Agreements with Allegheny Regional Branch Carnegie Library/Pittsburgh Public Theatre for the removal of Architectural Barriers to improve physical accessibility for the elderly and physically

handicapped, and providing for the payment of the cost thereof', by decreasing payment from CDLB 80, Public Buildings Access by Handicapped and increasing payment from CDLB 81 Public Buildings Access by Handicapped."

Which was read.

Also,

Bill No. 3583

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Question. Mr. Perry, are you marking lots on these? Where there are side lots?

**Mr. Perry:**

Am I marking side lots? If they say side lots.

**Michelle Madoff:**

Because I don't see any here that have side lots, and I am questioning whether they are side lots.

**Mr. Stone:**

Its being done in the Wednesday session Mike.

**Michelle Madoff:**

Because we had agreed that we would do that.

**Mr. Stone:**

We're doing that in the Wednesday meeting, not in the bill.

**Michelle Madoff:**

I'm wondering if we could do it on the bill because there are some people who have registered to get them mailed from you, they don't get the Wednesday stuff generally, they are getting the Monday, under interest in property.

**Mr. Perry:**

If there are side lots, they are marked on Wednesday's agenda. It wouldn't be marked on the bill.

**Michelle Madoff:**

But it is marked on the Wednesday agenda? That's good enough, I can mail them out then, okay.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
	(Pres't)

**AYES 8**

**NOES none**

And a majority of the votes of

Council being in the affirmative, the bills passed finally.

## **MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

One comment. Before we conclude. I know you are going to be sad to know that I won't be here at the end of the month, but I am coming in during the time when we are all closed because there is work to be caught up in the office, and during session, there is no time to do it. I think we ought to be considering, at some point, some mechanism, for those of us who need some time to get caught up on cleaning out our drawers, our files, letters, getting out files so we can put more items in them, and I am taking my vacation this week, I'm here today because of the critical matter that hit the paper, with the reapportionment.

**Mr. Givens:**

Me too Mr. President.

**The Chair:**

What does that have to do with when we are on our vacation? We're on our own time.

**Michelle Madoff:**

I would have stayed out the month of August.

**The Chair:**

Who cares if you lay on the floor for 24 hours a day, it has no bearing on Council's actions.

**Michelle Madoff:**

Unfortunately for you pussycat,

the public.

**Mr. Givens:**

Mr. President, I have one comment to make. If we could reconsider Council's normal adjournment time, of the latter two weeks of August, the first week of September, however it falls, for the consideration of those who have family members and would like to go away on a vacation, the fact that school does start in the latter part of August and that precludes anyone in this Council, either presently, or in the future, that has anyone that goes to school. And I'm sure we have a lot of Councilmanic —

**The Chair:**

Mr. Givens, the only answer I have for you is, we are mandated by the Home Rule Charter to serve 50 weeks. I wasn't a sponsor of the Home Rule Charter, I was violently opposed to it. In fact, some of my best friends supported it and I don't know why to this day, they were taken in, they conned. At the same time, if we are up against the 50 weeks, we have to serve 50 weeks, but there is no ruling or any law that says you or any other Councilperson can't take off any darn time you feel like it, as long as you are excused by City Councilmembers, regardless of how other people feel about it.

**Mr. Givens:**

I agree with your point, and it says that the Council should have a quorum and that is my whole point of interest. I'm sure all of us like to get away occasionally and if we do so, with proper notification, that when it gets down to five, you can stop it. My point is, that by having it the last two weeks in August, precludes those who would like to go away and use those two weeks for

their normal vacation, along with any others that they would like to take. But, it would, I think, help out, not only some Councilmembers, at least myself, and also possibly, some members of our staff who have children in school that have to get away other than that particular time too, knowing, hopefully, that the workload is somewhat reduced during that two or three week period of time. I would ask Mr. President, if you could —

**The Chair:**

I don't know if the two weeks that you suggested, or you mentioned, are mandatory. I do know that we have only two weeks —

**Mr. Givens:**

Oh yes, I'm not saying anything about —

**The Chair:**

I understand that what they did was took a study, and most of the people in the City of Pittsburgh, most of the departments are off those last two weeks due to the fact that it is stretched out over Labor Day and they have a little longer vacation. Therefore, there is hardly anybody available those two or three weeks to even operate.

**Mr. Givens:**

Well, I'd use that same application for the Fourth of July and Flag Day and others, but especially the Fourth of July or some other long weekend, possible time that we would have during the summer session, and I would ask that you would, within a week's time, ask the other Councilmembers how they feel on this, and if it's still going to be the last two weeks in August, then fine, I will have to take my vacation at some other time, other than that, and I would like

that to be a part of the record.

**The Chair:**

It is something to be considered.

**Michelle Madoff:**

We'd still have the Labor Day weekend vacation in any event, we'd still have July Fourth in any event, but moving it up to July would give us some time, as the work load is lesser in August, to come in and get caught up on the year's work that we never get a chance to finish off.

**Mr. Stone** moved to approve the minutes of Monday, August 3, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Stone:**

I move to adjourn this meeting and meet again on Monday, August 17, 1981 at 10:00 o'clock, A.M.

**Michelle Madoff:**

And I won't be here.

**Mr. Woods** seconded the motion.

Which motion prevailed.

and Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, AUGUST 17, 1981

No. 33

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, PA  
Monday, August 17, 1981

#### PRESENT:

Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. Robinson	(Pres't)

#### ABSENT:

Michelle Madoff  
Mr. O'Malley

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### REPORTS OF COMMITTEES

Mr. Stone presented

Bill No. 3724

Report of the Committee on Finance for August 12, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3651

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Consolidated Rail Corporation in the amount of \$1,211.07 as payment for the use of their flagmen in connection with the City of Pittsburgh's Bridge Inspection Program."

Which was read.

Also,

Bill No. 3652

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dick Corporation, in the amount of Fifty-One Thousand Sixty Seven (\$51,067.00) Dollars, in payment for 'Extra and Alternate Work' furnished for the benefit of the City in connection with the City of Pittsburgh's Asphalt Plant, and other work incidental thereto; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3664

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Process Supply, Inc., 1039-41 Central Avenue, P.O. Box 6010, Charlestown, WV 25032, in the amount of \$395.00 in payment for Kynor Coating of the Ferric Chloride Bin at the Water Treatment Plan furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3668

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Ritter Plumbing & Heating in the amount of \$500.00 in payment for extra work performed at Brookline Park Playground, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3669

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedco Construction in the amount of \$6,296.00 in payment for extra work performed in connection with Brookline Park and Pool Construction, furnished for the benefit of the City without previous authority of law; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3670

Resolution entitled, "Resolution authorizing the reduction of the retained percentage for Ritter Plumbing and Heating for Brookline Pool & Park Construction."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3693

Resolution entitled, "Resolution providing for the issuance of a \$1,250.00 warrant in favor of C. Leroy and Alzada C. Hacker in payment of claim for damage."

Which was read.

Also,

Bill No. 3694

Resolution entitled, "Resolution providing for the issuance of a \$4,000.00 warrant in favor of Albert G. and Margaret Turkovich in payment of claim for damage."

Which was read.

Also,

Bill No. 3695

Resolution entitled, "Resolution providing for the issuance of a \$875.00 warrant in favor of Joseph J. and Margaret Mitchell in payment of claim for damage."

Which was read.

Also,

Bill No. 3696

Resolution entitled, "Resolution providing for the issuance of a \$830.00 warrant in favor of Valarie Adams Stahurski, Executrix of the Estate of

John J. Adams in payment of claim for damage."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Givens

Mrs. Masloff

Mr. Robinson

Mr. Stone

Mr. Woods

Mr. DePasquale

(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3697

Resolution entitled, "Resolution transferring to Code Account 42-2, Council's Contingent Fund, the aggregate sum of \$498,000 from the listed code accounts in the following amounts, covering unspent monies from various salary accounts from January 1, 1981 through June 30, 1981."

Which was read.

Also,

Bill No. 3698

Resolution entitled, "Resolution providing for an Agreement or

Agreements with an accounting firm to provide professional auditing services as required by the U.S. Department of Labor in connection with the Comprehensive Employment and Training Act (CETA) program, providing for the payment of the costs thereof." (AS AMENDED IN COMMITTEE)

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3712

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Tedco Construction Corporation (General Contractor), in the amount of \$22,225.00; W. G. Tomko & Son Inc. (Plumbing Contractor), in the amount of \$2,123.35; Garfield, Inc., (HVAC Contractor), in the amount of \$2,800.00; and H. F. Carter, Inc., (Electrical Contractor), in the amount of \$21,815.00; totalling in the aggregate \$48,963.35 for

delay costs (increased labor and materials) in connection with the construction of Carnegie Library/Hill Branch and providing for the payment thereof."

Which was read.

Also,

Bill No. 3713

Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace the listed warrant which was lost, stolen or inadvertently destroyed."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 3725

Report of the Committee on Public Works for August 12, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3653

Resolution entitled, "Resolution further amending Resolution No. 1490, approved December 29, 1980, effective January 1, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, as amended by Resolution No. 539, approved June 1, 1981, effective June 10, 1981, as amended by Resolution No. 685, approved July 17, 1981, effective July 23, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program', by redefining the funding sources."

Which was read.

Also,

Bill No. 3654

Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution No. 849, approved August 19, 1980, as amended by Resolution No. 850, approved August 19, 1980, as amended by Resolution No. 970, approved September 24, 1980, as amended by Resolution No. 1026, approved October 10, 1980, as amended by Resolution No. 1105, approved October 24, 1980, as amended by Resolution No. 1390, approved December 31, 1980, as amended by Resolution No. 390, approved April 22, 1981, as amended by Resolution No. 538,

approved June 1, 1981, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program', by redefining the funding sources."

Which was read.

Also,

Bill No. 3656

Resolution entitled, "Resolution amending Resolution No. 385, approved April 22, 1981, effective May 1, 1981, entitled, 'Providing for a Contract or Contracts for the rehabilitation of the Charles Anderson Memorial Bridge Drainage System; and providing for the payment of the cost thereof, by increasing the project allocation by Sixty Five Thousand (\$65,000.00) Dollars."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3657

Resolution entitled, "Resolution amending Resolution No. 641, approved August 9, 1976, effective August 18, 1976, as amended by Resolution No. 1182, approved November 17, 1980, effective November 21, 1980, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, for street improvements on Fifth Avenue from Bouquet Street to Bellefield Avenue (PW 80-54); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing the project allocation by One Hundred Thirty One Thousand Twenty-Six Dollars and Seven Cents (\$131,026.07)."

Which was read.

Also,

Bill No. 3658

Resolution entitled, "Resolution further amending Resolution No. 576, approved July 27, 1976, effective July 28, 1976, as amended by Resolution No. 1183, approved November 17, 1980, effective November 21, 1980, entitled, 'Providing for a Contract or Contracts, or the use of existing Contracts, for the construction of Fifth Avenue from Craft Avenue to Bouquet Street (PW 80-53); providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by increasing the project allocation by Sixty One Thousand Seven Hundred Sixty Seven Dollars and Twenty Three Cents (\$61,767.23), and redefining the funding sources."

Which was read.

The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. Woods

AYES 6	NOES none
MR. DE PASQUALE	ABSTAINING

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3659

Resolution entitled, "Resolution providing for a Contract or Contracts for the Asphalt Plant Dock Facility; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3660

Resolution entitled, "Resolution providing for a Contract or Contracts for wall reconstruction and road restoration on Doerville Avenue, including necessary work on private property, and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3661

Resolution entitled, "Resolution providing for a Contract or Contracts for repairs to Scott Way Sewer, including necessary work on private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3662

Resolution entitled, "Resolution providing for a Contract or Contracts for repaving and widening of Warrington Avenue from Boggs Avenue to Arlington Avenue including necessary work on private property, necessary waterline work, and other work incidental thereto; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3663

Resolution entitled, "Resolution authorizing the reciprocal transfer of streets and highways between the City of Pittsburgh and the Commonwealth of Pennsylvania."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 3726

Report of the Committee on Planning, Housing & Development for August 12, 1981, transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3366

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12 by changing from 'R4' Multiple-Family Residence District to 'R2' Two-Family Residence District, all that certain property bounded by: Halket Street, Iroquois Way; Coltart Avenue; Lot No. 279, Block 28-F in the Allegheny County Block and Lot System; the Unnamed Way located between Coltart Avenue and McKee Place; the 'C3' Commercial District located between Bates Street

and Louisa Street; the 'C-1' Commercial District located between Falkner Street and Coltart Avenue, 4th Ward."

Which was read.

Also,

Bill No. 3684

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A 43 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 933 for use of the three story building located at 939 Beech Avenue as a Group Care Facility for 8 clients with adult supervision by Young Life Campaign, on property zoned 'R4' Multiple-Family Residence District identified as the easterly portion of Lot Numbered 70, Block 7-D in the Allegheny County Block and Lot System, 22nd Ward."

Which was read.

**Mr. Givens:**

I asked a question on Wednesday on Bill No. 3684 and I didn't receive an answer on it. Oh, is that it? Yes, group care facilities, that's in the 22nd Ward of the City of Pittsburgh and I just wonder, we have many group care home facilities in that particular area and there was no opposition from the people in the neighborhood. My concern was, were they within the zoning requirements, and I didn't receive an answer.

**The Chair:**

Well, I would think so, or we wouldn't have approved it.

**Mr. Givens:**

No, I'm saying there are a lot of group care homes over there and from

my knowledge, I think it is a quarter of a mile from each group home and I would have to say that there is no waiver on this, there is no hearing on this, and I'm not so sure that all of the people over there know what is happening. There is no opposition, either.

**Mr. Robinson:**

Mr. President, this was a Conditional Use. The facility existed prior to Council passing our comprehensive legislation. It does meet the present zoning requirements, it also does meet the present requirements of the new legislation and the appropriate notices were sent out and there was no opposition.

**Mr. Givens:**

Was this an existing home?

**Mr. Robinson:**

Yes.

**Mr. Givens:**

Then all we are doing is asking for a Conditional Use?

**Mr. Robinson:**

Yes, this is one of the first we have had in the City.

**Mr. Givens:**

But, does not that Conditional Use then — well — okay.

**Mr. Stone:**

He's coming in with technical compliance, before that they didn't need the requirement.

**Mr. Givens:**



Okay.

Also,

Bill No. 3685

Resolution entitled, "Resolution amending Resolution No. 700, approved August 7, 1979, effective August 10, 1979, amending Resolution No. 664, approved July 22, 1980, effective July 25, 1980, providing for a third amendatory Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh in connection with the Community Development Block Grant Program, by increasing the amount in a certain line item."

Which was read.

Also,

Bill No. 3686

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978, Resolution 1191 of 1980 and by Resolution No. 560 of 1981 entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program', so as to decrease line item HD-78-18, 'Innovative Grant - North Side, Local Matching Share', from \$110,000 to \$0 and further, increase line item HD-78-01, 'Home Repair Loan and Grant Program (HILP)', from \$5,395,000 to \$5,505,000."

Which was read.

Also,

Bill No. 3687

Resolution entitled, "Resolution providing for the acquisition from the Estate of Frances Birsa of certain property located in the 25th Ward of the City of Pittsburgh, for the development of a parking lot in connection with the UDAG Program and providing for the cost of the payment thereof."

Which was read.

Also,

Bill No. 3688

Resolution entitled, "Resolution amending Resolution 464 approved May 29, 1980, effective June 3, 1980, authorizing the Mayor and the Director of the Department of Housing to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the Urban League of Pittsburgh, Inc., for city-wide housing counseling and housing information services to the City in carrying out its Community Development Program, and providing for the payment of the cost thereof, by extending the time period of the contract to May 31, 1982."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3689

Resolution entitled, "Resolution providing for the acquisition from the Western Pennsylvania Conservancy of certain property located in the 23rd Ward, City of Pittsburgh, for the development of a tot lot in connection with the UDAG Program and providing for the cost of the payment thereof."

Which was read.

**Mr. Robinson:**

Mr. President, I move to amend Bill No. 3689 by deleting the 23rd Ward and inserting 25th Ward, also, by deleting Lot 22-F and inserting Lot 227.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

**Mr. Woods presented**

Bill No. 3727

Report of the Committee on Supplies for August 12, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3701

Resolution entitled, "Resolution providing for the letting of contracts and use of existing contracts for materials, general supplies, and equipment by the several departments of the City of Pittsburgh, during the calendar year 1982 and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3703

Resolution entitled, "Resolution providing for the letting of a contract or utilization of existing contracts for a collator for the Department of Supplies, and for payment thereof."

Which was read.

Also,

Bill No. 3704

Resolution entitled, "Resolution providing for the letting of contracts and the use of existing contracts for the

purchase and delivery of various Radio Equipment for the Department of Supplies of the City of Pittsburgh, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. Stone
Mr. Givens	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff for Michelle Madoff presented**

Bill No. 3728

Report of the Committee on Water for August 12, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3665

Resolution entitled, "Resolution authorizing the Mayor and the Director

of the Department of Water, on behalf of the City of Pittsburgh, to enter into an agreement with the Commonwealth of Pennsylvania providing for the reconstruction of certain water facilities in connection with the improvement and construction of Legislative Route 763, Section 14A and providing for the payment thereof."

Which was read.

Also,

Bill No. 3666

Resolution entitled, "Resolution providing for a contract or contracts for the Installation of Valves in Various Locations; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3667

Resolution entitled, "Resolution providing for a contract or contracts for the Installation of Valves in Various Locations; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty	Mr. Woods
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Mrs. Masloff  
Mr. Stone

Mr. DePasquale  
(Pres't)

AYES 5

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 3729

Report of the Committee on Parks and Recreation for August 12, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3671

Resolution entitled, "Resolution amending Resolution No. 922, approved September 19, 1980, effective September 26, 1980, entitled, 'Providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design and rehabilitation of Burgwin Pool and providing for the payment of the cost thereof,' by decreasing the authorization from \$50,000 to \$33,600."

Which was read.

Also,

Bill No. 3672

Resolution entitled, "Resolution amending Resolution No. 71, approved February 15, 1980, effective February 22, 1980, entitled, 'Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority

of Pittsburgh for acquisition services in connection with the expansion of Volunteer's Field; and providing for the payment of the cost thereof,' by increasing the authorization \$10,000.00."

Which was read.

Also,

Bill No. 3673

Resolution entitled, "Resolution amending Resolution No. 921, approved September 19, 1980, effective September 26, 1980, entitled, 'Providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with Ormsby Pool and providing for the payment of the cost thereof,' by increasing the authorization from \$30,000.00 to \$46,400.00."

Which was read.

Also,

Bill No. 3674

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Lincoln-Larimer Athletic Association, for purchase of football uniforms and equipment and transferring the sum of \$5,000.00 to Code Account No. 1838, Department of Parks and Recreation." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3675

Resolution entitled, "Resolution providing for an Agreement or Agreements or use of existing Agreements for professional services in

connection with Phase II design of Volunteer's Field; and providing for the cost thereof."

Which was read.

Also,

Bill No. 3676

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for concrete work repair of the Lilly Pond at Phipps Conservatory; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3677

Resolution entitled, "Resolution providing for a contract or contracts or use of existing contracts for a Tree Planting Program at various locations within the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3678

Resolution entitled, "Resolution amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 66, effective February 22, 1980, as amended by Resolution No. 114, effective February 28, 1980, as amended by Resolution No. 854, effective August 25, 1980, as amended by Resolution No. 969, effective September 29, 1980, as amended by Resolution No. 1068, effective October 23, 1980, as amended

by Resolution No. 1069, effective October 23, 1980, as amended by Resolution No. 1107, effective October 28, 1980, and as further amended, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program', by increasing Project Code 4-10-05-1338-80 (PR 80-07), Brookline Construction, increasing Project Code 4-10-03-1350-80-88-80-10 (PR 80-08) (80 CDP) Ormsby Rehabilitation, decreasing Project Code 4-10-01-1326-80 (PR 80-04), Henry Mellon King Estate Design and Rehabilitation, and decreasing Project Code 4-10-03-1352-80-31-80-10 (PR 80-09) (80 CDP), Burgwin Design & Rehabilitation in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3679

Resolution entitled, "Resolution providing for the filing of an application or applications by the City of Pittsburgh with the Commonwealth of Pennsylvania, Department of Community Affairs, for a grant in connection with the Development of the Manchester Visual Park, providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Manchester Visual Park, providing for required assurances; providing for the execution of payment vouchers on Letter of Credit; providing for certification of authorized signatures; and for the creation of the Manchester Visual Park Trust Fund."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. Stone

Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 5

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 3730

Report of the Committee on Lands and Buildings for August 12, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3648

Resolution entitled, "Resolution amending Resolution No. 633, effective June 13, 1981, which presently reads, 'Providing for the acquisition from Penn Central Corporation of certain property located in the 31st Ward, City of Pittsburgh, for the developmetn of a tot lot and providing for the payment of the cost thereof', by changing a portion of Item 'D'."

Which was read.

Also,

Bill No. 3649

Resolution entitled, "Resolution providing for an Agreement or Agreements and/or a contract or contracts or the use of existing contracts in connection with roof rehabilitation at various locations and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3650

Resolution entitled, "Resolution authorizing the sale of property in the 7th Ward of the City of Pittsburgh, Pennsylvania, located on Maryland Avenue, designated as Block 84-J, Lot 157, to the Port Authority of Allegheny County for the sum of \$10,227.51."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. Stone

Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 5

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

### The Chair:

If I may take the prerogative of the Chair, I would like to wish all of the members of Council a happy vacation on this coming break of ours, until the day after Labor Day, I believe.

I would like to make a statement. It has been said in the Press and other places, that apparently, our meetings get out of hand here. They don't get out of hand unless one certain person is here. I do want to say that it is a pleasure to work with the rest of Council, but in regards to this woman, and I mean this very sincerely, if she doesn't soon conform to Roberts Rules of Parliamentary Law, I'm going to check with the Law Department and see if there is a possibility to censor her. It is a charade with her, its a game, its a play. It is serious business for the rest of us. All she does is want her name in the paper and publicity and if she carries on in that manner in the future, I'm going to check with the Law Department and see if there is a way, as I said, possibly to censor her. She knows nothing about Roberts Rules of Parliamentary Law, she does not adhere to them or conform to them, I've just had it up to here.

**Mr. Stone** moved to excuse Michelle Madoff and Mr. O'Malley for absence from the meeting.

**Mrs. Masloff** seconded the motion.  
Which motion prevailed.

**Mrs. Masloff:**

Mr. President, I move to adjourn this meeting and meet again on Tuesday, September 8, 1981 at 2:00 o'clock, p.m.

**Mr. Stone** seconded the motion.  
Which motion prevailed.

and Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

TUESDAY, SEPTEMBER 8, 1981

No. 34

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Asst City Clerk

Pittsburgh, PA  
Tuesday, September 8, 1981

#### PRESENT:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale (Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 3731 Resolution providing for the issuance of a warrant in favor of Westinghouse Electric Corporation, in the amount of \$3,351.00 in payment for

repairs and services to the chiller in the North Side Public Safety Center; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 3732 Resolution granting unto Frederick A. Niepp, Jr., and Sherry L. Niepp, his wife, for the City of Pittsburgh, an easement for a driveway for ingress and egress to their single-family dwelling across property owned by the City of Pittsburgh, 20th Ward.

Also,

No. 3733 Resolution providing for the conveyance of certain property in the 26th Ward, City of Pittsburgh designated as Block 47-K, Lot 300 to Allegheny Housing Rehabilitation Corporation for the sum of \$2,000.00.

Also,

No. 3734 Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, together with crossarms, cables and wires and other necessary appurtenances on City property fronting on Nelson Run Road, 26th Ward.

Also,

No. 3735 Resolution amending Resolution No. 1430 of 1980, the 1981 Capital Budget by transferring the appropriation amount of \$100,000.00 from Project LB81-02 (4-25-01-1960-81),

Engine #9, Lawrenceville, Department of Lands and Buildings, to LB81-01 (4-25-01-1954-81), Engine #10, West End, Department of Lands and Buildings.

Also,

No. 3736 Resolution repealing item (C) of Resolution No. 128, approved 3/7/80 for the sale of a 2-1/2 story brick house on 126 on Erin Street (5th Ward) to Jesse T. & Clara Lue Boyd, his wife, for the sum of \$2,000.00. This Resolution is to repeal the sale and return the hand money to the purchasers.

Also,

No. 3737 Resolution amending and correcting information on Resolutions 704, approved 7/23/81 and item (C) of Resolution No. 455, approved 5/8/81, for the sale of lot in the 15th Ward on Forrester Street designated as B & L 55-A-265 to Michael & Lawrence DiNardo. Amendment is to correct the description of the lot.

Also,

No. 3738 Resolution amending Item (O) of Resolution No. 867, approved 8/20/80, for the sale of 2 - 2 story brick houses on 120-124 Erin Street, in the 5th Ward, designated as B & L 10-J-56 & 57, to Reynold Lester, for the sum of \$2,000.00. Amendment is to delete houses from sale and reduce the price to \$1,000.00.

Also,

No. 3739 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 3740 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 3741 Resolution amending Resolution No. 619, approved July 2, 1981, effective July 13, 1981, entitled "Providing for a Contract/s for step reconstruction at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof," by amending the title.

Also,

No. 3742 Resolution providing for a Contract/s or the use of existing contracts, for street lighting maintenance on various streets throughout the City of Pittsburgh and providing for the payment of the cost thereof chargeable to and payable from the following code accounts: PW 81-44, 4-01-10-0005-81 - \$250,000; CDPW 81-44, 4-01-10-0005-81-83-81-01 - \$100,000. Total \$350,000.

Which were read and referred to the Committee on Public Works.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3743 Resolution providing for the issuance of a warrant of Peoples Natural Gas Company in the amount of \$41,340.32 for the city's share of materials furnished and work performed in accordance with the Public Utilities Commission Order of May, 1978, Elizabeth Street Bridge; and providing for the payment thereof. Funds are available in Code Account PW 78-14, 4-01-05-0460-78.

Also,

No. 3744 Resolution providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of \$6,842.61 for the city's share of materials furnished and work performed in accordance with the Public Utilities Commission Order of May, 1978, Elizabeth Street Bridge; and providing for the payment thereof.

Also,

No. 3745 Resolution providing for the issuance of a warrant in favor of Dan Construction Company in the amount of \$10,365.00 in payment for Additional Work furnished for the benefit of the city in connection with the grading, paving and curbing of Rialto Place; and providing for the payment thereof. Funds are available in Code Account PW 80-32, 4-01-30-0001-80, Miscellaneous Repairs to Streets and Structures.

Also,

No. 3746 Resolution transferring the amount of \$1,000.00 from Code Account 1633, Materials to Code Account 1631, Miscellaneous Services, both accounts within the Painting Division, Department of Public Works.

Also,

No. 3747 Resolution transferring the sum of \$20,000.00 from Code Account No. 1160-1, Premium Pay to Code Account No. 1181 - Miscellaneous Services, Department of Environmental Services.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3748 Resolution repealing Resolution No. 863, approved August 24, 1981, effective August 31, 1981, entitled, "Providing for a Contract/s for repairs to Scott Way Sewer, including work on private property, and other work incidental thereto; and providing for the payment of the cost thereof.

Also,

No. 3749 Resolution pursuant to the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 501, Definitions and Chapter 503, Enforcement and Control, by prohibiting the operation of certain vehicles except on a designated Truck Route, as defined.

Also,

No. 3750 Resolution amending Resolution No. 1050, approved 10/20/80, effective 10/23/80, entitled, "Providing for an Agreement/s for Engineering Services in connection with the inspection of the Robert McAfee Bridge (PW 80-43)" by authorizing a Supplemental Agreement for Engineering Services, and by increasing the project allocation from \$30,000.00 to \$36,000.00. Code Account No. PW 80-10, 4-01-05-0001-80, In Depth Inspection by Contract, Department of Public Works.

Also,

No. 3751 Resolution further amending Resolution No. 1589, approved 12/29/78, effective 1/1/79, as amended by Resolution No. 622, approved 7/6/79, effective 7/10/79, as amended by Resolution No. 916, approved 10/12/79, effective 10/16/79, as amended by Resolution No. 712, approved 8/1/80, effective 8/8/80, entitled, "Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds, transferring Bond Funds to said Capital Funds," by creating a new line item and redefining the funding source.

Also,

No. 3752 Resolution further amending Resolution No. 1490, approved 12/29/80, effective 1/1/81, as amended, entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program, by redefining the funding sources.

Also,

No. 3753 Resolution providing for an Agreement/s with the Commonwealth of Pennsylvania for the Commonwealth's Right of Entry onto certain property to make subsurface investigations in connection with the Vane Street Mine Drainage Facilities Project No. OSM2(040-80) 101.5 Thirty First Ward.

Also,

No. 3754 Resolution providing for an Agreement or Agreements with Trans-Eastern Inspection, Inc., for Professional Engineering Services in connection with the steel inspection of the Franum Street Bridge; and providing for the payment of the cost thereof, not to exceed \$15,000.00.

Also,

No. 3755 Resolution taking,

appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property along Denise Street in the 29th Ward of the City of Pittsburgh.

Also,

No. 3756 Resolution vacating Hawkins Street from Norwood Street to Leland Street in the 26th Ward of the City of Pittsburgh.

Also,

No. 3757 Resolution vacating Honduras Street from Divinity Street to Perrysville Avenue in the 25th Ward of the City of Pittsburgh, excepting and reserving an easement for the 18 inch sewerline located therein.

Also,

No. 3758 Communication from Louis R. Gaetano, Director, Department of Public Works requesting interim approval of payment of \$6,360.54 to Sargent Electric Company for labor and materials and installation of electrical equipment in Heth's Run area, to be payable from PW 80-32.

Also,

No. 3759 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$1,712.68 to Jim McKain-Truck and Car Leasing, for rental of van used by Bridge Division personnel in connection with Bridge Inspection Program, to be payable from PW 80-36.

Also,

No. 3760 Communication from Louis R. Gaetano, Director, Department of Public Works, requesting interim

approval of payment of \$32,614.70 to J-Jac Construction Company for extra work in connection with repaving and widening of Fifth Avenue from Craft Avenue to South Bouquet Street.

Also,

No. 3761 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Albert Perella and Helen Zappa to attend Street and Roadway Relighting Conference, Cleveland, Ohio, September 24-25, 1981, at a cost not to exceed \$100.00, payable from Code Account 1502, Miscellaneous Services, Department of Public Works.

Also,

No. 3762 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Brother Richard Emenecker to attend conference sponsored by National Association of Telecommunications Officers and Advisors - National League of Cities, Boulder, Colorado, October 21-23, 1981, at a cost not to exceed \$895.00, payable from Code Account 1661, Miscellaneous Services, Department of Public Works.

Also,

No. 3763 Communication from Louis R. Gaetano, Director, Department of Public Works, transmitting Trial Traffic Regulations to be instituted for 60 days beginning August 20, 1981, on Market Street and other streets listed therein, alleviating congestion during construction projects.

Also,

No. 3764 Communication from Louis R. Gaetano, Director, Department of Public Works, transmitting Trial

Traffic Regulations on West Carson Street for 60-day period beginning August 1, 1981.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3765 Resolution providing for a contract/s for the Relaying of Water Lines in Various Locations, at a cost not to exceed \$400,000.00, chargeable to and payable from the 1981 Capital Budget Account No. WD 81-07 (4-05-15-0001-81).

Also,

No. 3766 Resolution providing for a contract/s for the Painting of the Allentown Tanks and other work incidental thereto at a cost not to exceed \$116,000.00, chargeable to and payable from the 1981 Capital Budget Account No. WD-81-01, Rehabilitation of eight (8) tanks (4-05-01-0980-81).

Which were read and referred to the Committee on Water.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 3767 Resolution providing for the issuance of a warrant in favor of M. DePasquale, Inc., 4740 Wallingford Street, Pittsburgh, PA 15213, in the amount of \$19,200.00 chargeable to and

payable from Capital Budget Account No. WD 80-01 (4-05-12-1028-80), for the installation of a 24" gate valve in Josephine Street.

Also,

No. 3768 Resolution providing for the issuance of a warrant in favor of BIF, Box 10018, Church Street Station, New York, NY 10249, in the amount of \$1,760.87, chargeable to and payable from Code Account No. 1701, Miscellaneous Services, for the purchase of chlorinating equipment.

Also,

No. 3769 Resolution providing for the issuance of a warrant in favor of Honeywell, Inc., Residential Division, P.O. Box 360167M, in the amount of \$254.09 in payment for the purchase of Two Chlorine Evaporator Temperature Controls, chargeable to and payable from Code Account 1701, Miscellaneous Services, Department of Water.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3770 Resolution providing for a contract/s for the Cleaning and Cement Lining of the 20" Line to the Saline Pumping Station, at a cost not to exceed \$365,000.00, chargeable to and payable from the 1980 Capital Budget Accounts, 20" Saline Street Line to Pumping Station WD-80-03 (4-05-15-1050-80-085-80-05), WD-80-03 (4-05-15-1050-80).

Also,

No. 3771 Resolution providing for an Agreement/s or with a Consultant/s for Professional Engineering Services in connection with Wall and Arch Repair at

the Filtration Plant, at a cost not to exceed \$25,000.00, chargeable to and payable from the 1981 Capital Budget Account No. WD-81-23, Engineering Service Contracts (4-05-30-0003-81).

Also,

No. 3772 Resolution providing for a contract/s for Repair Wall and Arch Repair at the Filtration Plant cost not to exceed \$435,200.00, chargeable to and payable from the 1981 Capital Budget Account No. WD 81-04, (4-05-30-0002-81).

Also,

No. 3773 Resolution providing for a contract/s for the Installation of a 16" Line in Boundary Street between Saline Street and Henry Street, at a cost not to exceed \$765,000.00, chargeable to and payable from 16" Boundary Street, Capital Budget Accounts.

Also,

No. 3774 Resolution providing for an agreement/s with a consultant/s for professional engineering services in connection with the installation of a liner in Highland Reservoir No. 1, at a cost not to exceed \$25,000.00 chargeable to and payable from Capital Budget Account No. WD-81-23 (4-05-30-0003-81).

Also,

No. 3775 Resolution providing for a contract/s for the Cleaning and Cement Lining of portions of the 50" main between Highland Park Reservoir and the Mission Street Pumping Station at a cost not to exceed \$500,000.00, chargeable to and payable from the 1981 Capital Budget Account WD-81-06 (4-05-10-1020-81).

Also,

No. 3776 Communication from Richard Cosentino, Director, Department of Water, requesting interim approval of payment of \$421.00 for repair of two Homelite pumps, to be payable from Code Account 1705, Repairs, Department of Water.

Also,

No. 3777 Communication from Richard S. Cosentino, Director, Department of Water, requesting interim approval of payment of \$26,000 for replacement of 30" gate valve in Josephine Street, Controller's Contact No. 25010.

Also,

No. 3778 Communication from Richard S. Cosentino, Director, Department of Water, requesting interim approval of payment of \$10,300.00 for extra work including installation of gate valves and tapping, sleeve, Controller's Contract No. 24037, Repaving and Widening of Fifth Avenue between Craft Avenue and Bouquet Street.

Which were severally read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 3779 Resolution authorizing the issuance of a warrant in favor of Design Space International in the amount of \$29,572.00 in payment for work performed at Pittsburgh Symphony Summer Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 3780 Resolution transferring \$2,000.00 from Parks and Recreation's

Code Account 1829, Point State Park, Miscellaneous Services, Supplies, Materials, Repairs and Equipment to Code Account 1828-1, Point State Park, Premium Pay.

Which were read and referred to the Committee on Finance.

Also,

No. 3781 Resolution repealing Resolution No. 463, approved May 4, 1981, entitled "Providing for an Agreement or Agreements with various Contractors for visual and performing Art Services in connection with the 1981 Recreation Program and providing for the payment of the costs thereof." (\$3,500.00 from Code Account 1838).

Also,

No. 3782 Resolution providing for an agreement/s with various contractors to provide instruction in connection with the Pre-School Program of the Department of Parks and Recreation and providing for the payment of the costs which is not to exceed \$4,500.00 and is chargeable to and payable from SPPTF.

Also,

No. 3783 Resolution providing for an Agreement/s with the Pittsburgh Center for the Arts (the "Center") for the payment of the sum of \$8,500.00 to match the grant of \$8,500.00 awarded Center by the National Endowment for the Arts for the purpose of conducting a design competition.

Also,

No. 3784 Resolution providing for Supplemental Lease Agreement/s with the Pittsburgh Garden Center, extending the lease and making certain other provisions.

Also,

No. 3785 Resolution providing for a contract/s or use of existing contracts for lighting at various locations, including Schenley Oval and Brookline Memorial Park, and providing for the payment of the cost thereof; at a cost not exceeding \$128,123.22.

Also,

No. 3786 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$500.73 for extra work in connection with plumbing contract at Broadhead-Fording Pool and Park.

Also,

No. 3787 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$858.25 to IKM-SGE for design work in connection with South Side Skating Rink roof.

Also,

No. 3788 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$143.10 to Frey, Kozel and Associates for mylar reproductions and microfilm aperture cards of drawings of Olympia Park Recreation Building.

Also,

No. 3789 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$5,700.00 for extra work in connection with general contract at Westwood Pool.

Also,

No. 3790 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$2,718.62 for topsoil at Point State Park in connection with Summer Symphony to be payable from Code Account 1829, Miscellaneous Services, Supplies, Materials, Repairs and Equipment, Point State Park.

Also,

No. 3791 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of \$3,858.00 for sod at Point State Park in connection with Summer Symphony to be payable from Code Account 1829, Miscellaneous Services, Supplies, Repairs, Materials and Equipment, Point State Park.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 3792 Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, in the amount of \$1,236 in payment for transcription done by a stenographic reporter of Trial Boards, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police.

Also,

No. 3793 Resolution transferring the total sum of \$90,000 from Code Account No. 1457, Purchase of Uniforms and Equipment, to Code Account No. 1443-6 (\$37,000), Code Account No. 1447



(\$50,000), and Code Account No. 1451 (\$3,000).

Also,

No. 3794 Resolution transferring the sum of \$53,000 from Police Recruit Training (PRT), to the City-County Integrated Identification System Project (C-CIISP).

Which were severally read and referred to the Committee on Finance.

Also,

No. 3795 Resolution amending Resolution No. 1151, effective November 14, 1980, entitled "A Resolution providing for a contract/s for the design and construction of an addition to the Police Academy and the construction of a new Canine Training facility located at Washington Boulevard at Negley Run Road; and providing for the payment thereof by increasing authorized amount from \$220,000.00 to \$300,000.00.

Also,

No. 3796 Communication from Robert J. Coll, Jr., Superintendent, Department of Police, requesting permission for Assistant Superintendent Joyce and Lt. Tomer to attend FBI Retraining Session, Uniontown, PA, September 13-16, 1981, at a cost not to exceed \$300.00 payable from Code Account 1454, Education and Traveling Expenses, Department of Police.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 3797 An Ordinance supplementing the Pittsburgh Code, Title Five, Article VII, Parking, by adding a

new Chapter 547, entitled, "Residential Parking Permit Program", by providing for establishment of Residential Parking Permit Zones, issuance of parking permits and penalties for violation of this Chapter.

Also,

No. 3798 Resolution requesting the Directors of the Departments of City Planning and Public Works to assist the residents of the St. Francis Hospital - Lawrenceville area of the city to establish a pilot sticker parking program in their neighborhood.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 3799 Resolution authorizing issuance of a warrant in the amount of \$5,760.00 in favor of Casciato Brothers in payment for the emergency demolition and removal of 2 - 3 story brick dwellings located at 122-124 Erin Street without previous authority of law.

Which was read and referred to the Committee on Finance.

Also,

No. 3800 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 11 by changing from

"R3" Multiple-Family Residence District to "R2" Two-Family Residence District all that certain property bounded by: Stanton Avenue, Dresden Way and Fifty-Second Street, 10th Ward.

Also,

No. 3801 Resolution approving a Conditional Use under Section 993.01(a)A(12) of the Pittsburgh Code, Title Nine, Zoning, for major filling on 9.5 acres of land located in the vicinity of Nelson; Dunmore; Navarro; and Oldsmar Streets, 12th Ward.

Also,

No. 3802 Resolution Agreement/s with Pitt Studios for professional graphic arts technical assistance for Department of City Development in connection with promotional/marketing strategy for economic development at a cost not to exceed \$2,500.00 payable from Code Account 1900-1.

Also,

No. 3803 Resolution creation of a Special Trust Fund to be designated City Development Fees Trust Fund to further economic development of Pittsburgh.

Also,

No. 3804 Resolution providing for an Agreement/s with the Garfield Community Organization, Inc., and the Stanton Heights Civic Association, Inc., for the staffing and operation of an inter-community office in connection with the Stanfield Urban Development Action Grant and providing for the payment of the cost thereof.

Also,

No. 3805 Resolution amending Resolution No. 1430, approved 12/29/80,

entitled, "Adopting the 1981 Capital Budget ... and Capital Improvement Program," by deleting and substituting Project Line Item to implement HUD 108 Loan Program.

Also,

No. 3806 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of 1203 Palo Alto Street, Block and Lot 23-K-99, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 3807 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Deputy Planning Director Ray Reaves to attend Coalition of Northeast Municipalities, Northeast Municipal Summit, Falmouth, Mass, September 11-13, 1981, at a cost not to exceed \$600.00, payable from Community Development Block Grant Program, Department of City Planning, Administration, CDPA.

Also,

No. 3808 Communication from Robert Lurcott, Director, City Planning, requesting permission for Jim Brown and Joseph Mistick to attend First Annual Zoning Institute Conference, New York, NY, September 20-22, 1981, at a cost not to exceed \$1,700, payable from Community Development Block Grant Program, Department of City Planning-Administration, CDPA.

Also,

No. 3809 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Joseph Laffey, Bureau of Building Inspection to attend Rehabilitation Specialists Workshop, Pittsburgh, PA,

October 19-23, 1981 at a cost not to exceed \$250.00, payable from Code Account 1376, Miscellaneous Services - Travel and Educational Expenses, Department of Housing.

Also,

No. 3810 Communication from Edward deLuca, Director, Department of Housing requesting permission to attend meeting of National Council for Urban Economic Development, Washington, DC, September 22, 1981, at a cost not to exceed \$300.00, payable from Economic Development Planning Program Trust Fund.

Which were severally read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 3811 Resolution making technical amendments to Resolution No. 770 of August 10, 1981.

Also,

No. 3812 Resolution transferring the aggregate sum of \$250,000.00 from the Code Account listed therein to Code Account 53-1, Reserve Fund, Debt Service, Stadium Authority.

Which were read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 3813 Resolution providing for the issuance of a warrant to Clark Cratty, t/a Cratty Construction Company, c/o William A. Weiler, Esquire, 4762 Liberty Avenue, Pittsburgh, Pennsylvania 15224, in the sum of \$2,000.00 in full settlement of a claim for monies owed on a contract, and providing for the payment thereof.

Also,

No. 3814 Resolution providing for the issuance of a warrant to Fredric Mauro, c/o Arthur Cutruzzola, 3303 Grant Building, Pittsburgh, PA 15219, in the amount of \$5,000.00 in full settlement of claim for personal injury, and providing for the payment thereof.

Also,

No. 3815 Resolution transferring Five Hundred Dollars (\$500.00) from Code Account 1016, Salaries, Mayor's Office, to Code Account 1016-1, Premium Pay, Mayor's Office.

Also,

No. 3816 Resolution providing for an agreement/s with Coopers & Lybrand, Certified Public Accountants, for professional auditing services in connection with the Revenue Sharing Program and providing for the payment of the cost thereof, not to exceed \$60.00.

Also,

No. 3817 Communication from Ronald Schmeiser, City Treasurer, submitting report of deposits and market value collateral security pledged by City Depositories to secure same as of July 31, 1981.

Also,

No. 3818 Communication from Richard S. Caliguiri, Department of the Mayor's Office, requesting permission for George Whitmer to make a trip to Harrisburg, PA, October 5, 1981, to attend a PA League of Cities Board Meeting, at a cost not to exceed \$200.00, payable from Code Account 1017, Miscellaneous Services.

Which were severally read and referred to the Committee on Finance.

### MOTIONS AND RESOLUTIONS

#### Michelle Madoff presented

No. 3819 WHEREAS, it is our City's concern to insure the safety of the public; and

WHEREAS, our City has buildings with structures such as balconies, decks and other areas where a large number of people gather.

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh hereby mandates the Superintendent of the Bureau of Building Inspection to inspect any building which may have structures such as balconies, decks, etc., where the public assemble in numbers, to assure their safety.

Which was read.

Michelle Madoff moved for adoption.

Mr. Woods seconded the motion.

Mr. Stone:

Mr. President, if I may, relative

to this bill, I am wondering the reason for it. I can understand that there has been some things that have happened in other cities, and there is an impression that I am getting, that perhaps we are trying to do that, but under our Building Code, our Building Inspection is required to accomplish what is there already. Are we attempting to say the same thing, tell them to do what they are supposed to do? I think all we are asking for is an enforcement of the present Building Code that exists here. We just adopted a complete new Building Code for the City of Pittsburgh. It would appear to me that this bill is not necessary, frankly.

**The Chair:**

You are saying that this is something they should be doing now, and not with a resolution? It is covered under the ordinance, right?

**Mr. Stone:**

That is my belief at this particular point. The way it is worded.

**The Chair:**

I would think so too, I don't know that there is any harm in the resolution.

**Michelle Madoff:**

Mr. President, am I privileged to speak?

**The Chair:**

Certainly.

**Michelle Madoff:**

Thank you. I introduced this bill because the Building Inspection, head of the Building Inspection, Mr. Imhoff and I have been, on numerous occasions, in buildings I believe to be unsafe in case of fire. I understand that Councilman

O'Malley will shortly be introducing an amendment on something he has done a great deal of research and I don't want to usurp his bill, to address the issue of people going into buildings where there are too many people, usually on Wednesday and Friday nights, which are sort of nights out on the town. I've been concerned about particular buildings that have balconies, and I am indeed concerned about what happened in Kansas City and in other cities and I think we would be very remiss of this body, if we did not agree on this particular "resolution". This is not an ordinance, it is a resolution urging that, or mandating that they go about doing what is indeed in the bill, which has not been done. And if I put them in the embarrassing position of having to name names of places and spots that Mr. Imhoff and I have personally been in, where he knows they are in violation, then I will do that. I would prefer not to have to do that.

I think we'd get back to the issue of trim on the buildings that were falling down and almost killed people and I introduced a motion that we check all the trim and that passed and it was done and I think perhaps we saved some lives.

I don't think it is a matter of, do we have bills on the books, we have litter bills on the books, but nobody enforces them. We have a bill that Council voted on, or appropriated dollars for policemen, but we propose, the Administration disposes. We don't have the authority. All we can do is call it to the attention, and thank goodness, the media will report to the public that we have bills and that maybe they ought to be enforced. That is all this bill says, go out and do what you are supposed to do. I agree with Mr. Stone, the bill is there, it isn't being done.

**Mr. Given:**

Mr. President, I vote aye on this bill, and I, I'm sure, have a deep concern in this particular area. I think many people in some of our public buildings as well as the hotels and motels that we have around our area are not used to assembling in such an area where they have great crowds, and when they do, I don't think many of these balconies were ever designed to take a lot of people and I think it is incumbent upon the building inspectors to get out there and look into this for that reason. This is maybe a one-time situation in the City of Pittsburgh. I hope all of the municipalities in Allegheny County will do this. I vote aye on it for that reason.

**Michelle Madoff:**

Mr. President, I neglected to mention something else. I had a phone call this morning about the re-routing of traffic, and because of the re-routing of the closing of the Edgewood exit and the closing of the bridges that we now have and the exits to the Monroeville Parkway, it appears that one of the bridges in Squirrel Hill is actually shaking because of the volume of traffic that is using it in the morning. I will speak to Mr. Gaetano as soon as this meeting is over about checking that bridge. They were not designed for the volume of traffic that they are getting because the other roads are closed and I think that becomes a vital concern and that ought to be included. We're talking about public safety.

**The Chair:**

Tell us the bridge so we can stay off it.

**Michelle Madoff:**

No, but perhaps there could be re-routing. I was very surprised to go to the Steelers —

### **The Chair:**

What bridge are you talking about Michelle?

### **Michelle Madoff:**

The bridge in Schenley Park. I'm just throwing that out — the concept here is public safety and it doesn't matter whether it is a bridge or whether it is a balcony, this particular resolution addresses particularly, night spots, evening places where large volumes of people gather particularly on Wednesdays and Fridays, that I have been terrified to be in myself and I think that will be coming up from other Councilmembers in another form on fire later on.

### **The Chair:**

Why do you look at O'Malley when you talk about those after hour places?

### **Mr. Flaherty:**

I have a point to make — in regard to what Michelle is speaking about, I would like to ask the City Clerk if he would send a letter to Equitable Gas. I believe —

### **The Chair:**

Tom, would you wait until we finish the vote on this resolution, please.

### **Mr. Flaherty:**

I thought we voted already. I'm sorry.

### **Mrs. Masloff:**

I will vote aye on this, although I think it is superfluous, we just keep putting things out that nobody pays any attention to. If there already is a law, I

think that it will be enforced without this resolution. However, I will vote aye.

### **Mr. Stone:**

I would like to make these comments if I may. If this is to mandate, then obviously, a resolution can mandate nothing. All it is is a wish.

Secondly, if this resolution is to say that in this instance, we will comply with those laws that are already on the books, conversely, it is saying those things that we are not asking them to enforce, should not be enforced. It is my belief this is bad practice. We ought to be enforcing all of the ordinances on the books and not any selective nature, or from time to time, trying to give the impression that we are starting something new. The ordinances, as laid out by the City of Pittsburgh, are for everyone, they should be enforced with equal vigor and as I have indicated, not as we are doing here, indicating we will do one part and conversely saying we won't do the other. For that reason, I think for a sense of overall good for this City of Pittsburgh, I will vote against it.

### **Michelle Madoff:**

Mr. President, may I comment. I think Mr. Stone is 1000% correct, but I think you have said the same thing that he is saying and every member of this Council has said the same thing. We have come before this body and said, there are rules and laws on the books that are not being enforced. How do we get them enforced if we don't bring attention to the problem. Isn't it the squeaking wheel that gets greased, first of all? But bringing up this resolution and saying, Here we have a problem, we've seen tragedies in other cities, we are at least pinpointing something that may be a priority item and may be given the attention before some other item. I

can't understand, as I say, it is only a resolution, not an ordinance, we are not amending an ordinance, we are saying, Go do what you are supposed to do and I can't imagine that anyone can misunderstand or misconstrue this to mean anything else and I clarified that in what I said.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. DePasquale
Mrs. Masloff	(Pres't)

AYES 8                      NOES 1  
(MR. STONE VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty:**

I would just like to follow up on what Michelle has said in regard to safety hazards that exist for the public convenience. I'm sure that probably all of us, or most of us, saw the photograph that appeared in today's Press and Post Gazette, of a car that was completely — almost completely engulfed by a hole on South 16th Street in the South Side. This was an excavation hole that was put there either by Equitable Gas or one of its sub-contractors, I'm not sure, but the problem is that I have even seen from personal experience, in driving over

those huge plates which they cover these holes with, that just through a normal flow of traffic, those plates can tend to move some and I would ask the City Clerk to send a letter to Equitable Gas advising them to take more proper action in making sure that steel plates are put over excavation holes and asking them to explore ways to secure those plates. Also, if you could include that we on City Council would hope that Equitable Gas would convey this responsibility to any sub-contractor that may be working on that site.

**The Chair:**

Tom, Mr. Stone thought that was a typical pothole on the South Side.

**Mr. Stone:**

Are we on to a different subject now?

**The Chair:**

Tom is on a motion —

**Mr. Stone:**

Relative to Equitable Gas?

**The Chair:**

Yes.

**Mr. Stone:**

I would like to speak on that subject if I may. Relative to Equitable Gas, I think everyone on this Council knows I've had my problems with Equitable Gas for some four years. What they have done relative to the South Side has traumatically affected that area without anyone's possible comprehension. They worked on Sarah Street and had that thing tied up and left the so-called horses there to guard

people. After they went through that for some two years they are on to Carson Street, and now this thing that he just speaks about on 16th Street, I have already asked the City Solicitor for all of the provisions covering public utilities, their ability to go into our streets, their ability to close our streets, and as well, their ability to begin before they get a permit as well as to continue work without a permit and the only time that they can renew those permits, when there comes some search on my behalf.

If some of you will recall, I called Mr. Montani from Equitable Gas to have their representatives here in City Council, and even though, on a couple of occasions, the problem in West End, the double problems in the South Side, they have not seen fit to come here to this Council Chambers, but as far as I am concerned, upon receiving those particular ordinances applicable to the public utilities, they will be faced with some new requirements and we will see that they start complying with what is necessary for the City of Pittsburgh citizens. We can't continue to permit, as I have seen many times, they indicated, when Mr. Eddie Albert on my behalf, checked, we found out that they had just renewed their permits at the time that I had made the request. Which means they were some couple of weeks over. In addition to that the road was closed on a couple of occasions and they were guaranteed to Mr. Balzer that the roads would not be closed.

Now, I think somewhere along the line the Equitable Gas and the other public utilities have to know that they don't have free reign of these streets. In addition to that, when they are repairing them after they do the work, they just don't leave the curbing, which is now stone, and substitute it with concrete, or just put a little topping on it to make it even, as it might be, and then leave holes

all over the street for many, many days and weeks, and then claim vandalism, that the young children are knocking off these guards. I think that Equitable Gas has to accept the total responsibility and the sole responsibility, for what happened at 16th Street and everything else with regard to the South Side of the City of Pittsburgh. But somewhere along the line, and in the near future, its not going to happen again.

**Mr. Flaherty:**

Mr. President, would it be at all possible, with regard to time restraints, if we could have someone come in from Equitable Gas at a Post Agenda tomorrow, to address the concerns of Councilman Stone and —

**Mr. Stone:**

Apparently Tom you didn't hear me. I called them in already, right before we broke for the summer and they refused to meet in a Council session and thats why I'm going to take the other step, we'll legislate and from then on they'll comply.

**The Chair:**

Have we officially notified them as a body Bob? I know they have come in on the Water —

**Mr. Stone:**

Yes. No, they were coming in for a Post Agenda hearing. I just read the letter again today.

**The Chair:**

Are we sure it was Equitable's fault for the car that fell in?

**Mr. Flaherty:**



Well, according to the accounts in the paper, that's why I said it was either Equitable or a sub-contractor. I believe Equitable said that they had the plate over the hole but in the meantime someone had removed it and I imagine those plates can be removed somewhat easily, just through a normal flow of traffic, I'm sure that we have all seen how they can become jarred and slide and if Equitable could secure those in more of a permanent way when they are not actually working on the site, I think that would be of great help to the city motorists.

**The Chair:**

Wouldn't this apply to the other utility companies too? Wouldn't it apply to all utility companies?

**Mr. Flaherty:**

Yes, I would think so.

**The Chair:**

I mean, Equitable, as Bob said, may be guilty on more occasions, but I think they are all —

**Mr. Flaherty:**

Any holes in our streets or our sidewalks.

**The Chair:**

For the time being Mike, get that letter to Equitable and insist that they come in for that Post Agenda meeting.

**Michelle Madoff:**

I just wanted to ask a question and I want to talk on another matter. On the issue that Councilman Flaherty and Mr. Stone have addressed, we have had a long history of battle with Equitable Gas Company in this Council. I think we

need clarification on a number of things. They dug up my street, they repaved my sidewalk after I called them and they were very good about it, it was Peoples Gas, however, the curb wasn't done. I don't know whether I am responsible, I don't know whether the gas company is responsible and we should get some kind of clarification. I think that there has to be some kind of penalty, whatever legislation we are going to enact. When a company has subjected people, for example, do you recall when we had the last episode with Equitable, and there were many, many town meetings in the West End and Elliott section that went on for months and months and months and the people had no recourse. Somewhere along the line we have to make it too costly so it becomes expedient for a utility to move, and I think it is incumbent upon this body to notify the PUC of what is happening. So that my motion would be to follow up on what has been discussed and have either the minutes, or some letter, perhaps Mr. Stone would like to draft it, to go to the PUC, of the problems that the City is confronted with and ask what recourse we have that perhaps we don't even have the right to enforce. We may not be legislatively empowered to do so, and I think we may need some advice from our legal department on that particular issue, because, obviously, if they can drag it out for six months and not do it, they are going to do it. If they have a penalty they have to meet they are going to move more quickly to save themselves money.

**Mr. Stone:**

I will be submitting legislation on this subject because I am already into it.

**Mr. Stone presented**

No. 3820 WHEREAS, the City of Pittsburgh is fortunate to have many

non-profit community agencies who for many years, through private funds and fund drives, have tended to the community needs; and

WHEREAS, the Brashear Association of the South Side of the City of Pittsburgh is such an organization; and

WHEREAS, James E. O'Brien has been serving this organization for the past 22 years, 13 years of which as its Executive Director, and under his administration, this agency has made great strides and progress; and

WHEREAS, the Brashear Association will, on the 12th day of September, 1981, honor Mr. James E. O'Brien with a retirement party.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Members of the Council of the City of Pittsburgh do hereby acknowledge the great contributions and deeds of James E. O'Brien to the Brashear Association, to this City and to its citizens, and further does hereby extend its best wishes to Mr. James E. O'Brien with sincere wishes for a healthy and fruitful retirement.

Which was read.

Mr. Stone moved for adoption.

Mrs. Masloff seconded the motion.

Which motion prevailed.

Michelle Madoff:

Discussion -- many of us have been away for the summer and as you know, Councilman Givens, before we broke for session, suggested that we might consider voting to take our allotted time, which does not have to be

at a specific time, in July rather than August. I would like to point out that I ran into a hurricane, I paid money to fly with my daughter to Virginia Beach and had to come right back, and I think, it is hurricane season, not only in Council, but at the end of August, and it might be a very good idea to consider, very early on in the coming year, when we might want to break for session. That is part of the issue that I wanted to address.

The other subject matter is that, in reviewing the newspapers in the time I was back in the city, I was appalled to find that everybody on this Council is being painted with the same brush. If memory serves me well, Councilman Flaherty introduced a bill to go on the ballot, on the referendum, so that we could choose -- the public would have the right to choose, and Mr. Stone, in his infinite wisdom, he is the attorney on this Council, put out the wording as to how it would appear on the ballot, or turned it over to the election office with recommendations, and it turns out now that everyone is saying, not only the media, that the way it is presently drafted, we are just not going to have a clear defined choice, and I would like to remind this body that Councilman Flaherty was the one who brought up the referendum, I was the one who seconded, or it could not have been discussed, we were two -- I believe the only two at the time, who supported giving the people the right to choose, Mr. Stone then said he is all for the right to choose, but as the three-pronged monster is presently on the ballot, people are not only not having the right to choose, but we have the right to say, If you don't vote the way we want you to, we'll change it all over again. I think that is the kind of issue that makes this Council look like a bunch of indians, and I think we ought to take the tiger by the horn, I think we ought to re-word and clarify that bill because at that point, when we were

voting, I said, Let's bite the bullet and let's vote, at-large or district, because Council still is empowered to do that, we still have that right, to vote to go at-large or by district. The only thing that we really have to put on the ballot is the 7 - 2.

Now, somehow or other, this legislative body, and I resent being painted as part of this whole picture, I am for clarification, I am for biting the bullet, Councilman Flaherty, I believe you support that, and I think that ought to be made clear. I would suggest that by our next meeting, the clarification come from this body so that we are not pointed to as presenting an inane piece of legislation that the public really and truly doesn't have clarification to vote on.

**The Chair:**

Are you talking about Council voting on the issue without it going to referendum?

**Michelle Madoff:**

I'm saying that either we word it so the public can go in and vote either for or against, so that the clarification is simple, either you vote for it or against it; or that we vote and we bite the bullet and we vote ourselves, by district or at-large, because we are empowered to do that and that has been forgotten in all the rhetoric and in all the media comments and all of the editorials, that it wasn't 9 - 0, it was 2 - 7.

**The Chair:**

I just want to say one thing, it is your prerogative to bring that up at the next meeting, and it is your prerogative to ask for a change in that vote.

**Michelle Madoff:**

Well, I don't think its a matter of

**The Chair:**

I don't know if we are beyond that or not now that the County Commissioners okayed it for the ballot. You're talking about what? Six, seven weeks now. But the law that we can change it, there is no rule that says you can't make that motion, or anyone else.

**Michelle Madoff:**

It is my understanding Mr. President, that at the time that Mr. Flaherty tried to have us vote on it, it was ruled that we could not vote, the Parliamentary procedure said we could not vote at that time, or it was voted down, there was a vote taken.

**The Chair:**

Michelle, no. It is clearly stated in the Home Rule Charter that Council has the right to vote and leave it at-large, or change it to a district.

**Michelle Madoff:**

And it lost.

**The Chair:**

How the referendum came about, as Mr. Flaherty wanted an amendment to the referendum, saying they should be either six and three, or seven and two.

**Mr. Flaherty:**

No, that's not true Mr. President. I only introduced the combination plan of seven and two. We did not vote on the six and three.

**The Chair:**

Well, let's forget six and three, that was suggested by somebody, but you did ask for an amendment in regards to seven and two, right? That is the only thing I am bringing out, that the amendment was necessary for a referendum. We could have voted straight out on the at-large or district.

**Michelle Madoff:**

That is correct, and we voted —

**The Chair:**

That is our power within the Home Rule Charter.

**Michelle Madoff:**

That is correct and it was voted down Mr. President.

**Mr. Flaherty:**

Yes, I believe what Councilwoman Madoff is referring to, subsequently, after Council passed that three-pronged question, I had introduced a bill, which I maintained was within the jurisdiction of Council as evident by the Home Rule Charter, asking that all members of Council be elected from the districts. Through some parliamentary procedure, I was ruled out of order and told that that bill could not come to the floor.

**Mr. Woods:**

Mr. President, I was not a Councilman at this time, but it is my understanding that Councilman Flaherty and another group of people went out to try to get signatures, not only to have three questions on the ballot, but to have four, am I right? And they didn't succeed in getting the 14,000 signatures, is that right?

**Mr. Flaherty:**

You are not right on that, Councilman Woods. The group was not Councilman Flaherty, it was a group called Pittsburgh '81 that was started by Gabor Kish. Gabor Kish, as I am sure we are all aware, passed away about a month ago. He had the files to campaign, seemed to flounder. This was not Tom Flaherty, and I suppose the only person who could give us the answer as to why they were not successful in attaining the proper amount of signatures, is Gabor Kish.

**Mr. Woods:**

Well, my question is, Tom, was that for a fourth question on the ballot?

**Mr. Flaherty:**

No.

**Mr. Woods:**

What was it?

**Mr. Flaherty:**

It is my understanding Ben, that Pittsburgh '81 was somewhat fearful that the three-pronged question would not be approved because it was so idiotic. They were afraid that if they did not have insurance, insurance being having enough signatures on a petition to put what they felt would be a proper question on the ballot, then the issue would be dead and there would not be any question. In a nutshell, they thought that somewhere along the line, someone was going to say, Hey, we can't put this three-pronged question on the ballot.

They were out trying to get the petitions on the basis of a political strategy. It was certainly not - certainly not to put a fourth question on the ballot, because what they were circulating the petition for called for all nine members of Council to be elected

by district, and that question is the second of the three questions that is already on the ballot, so it would have been just strictly a superfluous question, no way did they want a fourth question on the ballot.

**Mr. Woods:**

Wait a minute, I've lost something here. What was the purpose of going out and trying to get the 14,000 some odd figure, signatures on the petition, for what question that was on the ballot, if you already had the questions on the ballot?

**Mr. Flaherty:**

Allright, okay. I will explain it again, I will explain it again.

**Mr. Woods:**

Please do.

**Mr. Flaherty:**

Okay. First of all, Pittsburgh '81 thought that that was such an idiotic, absurd —

**Mr. Woods:**

In your opinion or Pittsburgh '81's. Let's deal with the issue.

**Mr. Flaherty:**

I said Pittsburgh '81.

**Mr. Woods:**

Well, let's deal with the issue. What was the purpose of the —

**Michelle Madoff:**

Point of personal preference —

**Mr. Flaherty:**

Wait a minute — Ben, if you will let me respond, I will. Only two of us can talk at the same time. Only one of us —

**Mr. Woods:**

I'm sorry.

**Mr. Flaherty:**

I'm here so long, two of us can, I'm finding out.

**The Chair:**

I'm glad I didn't say that, but go ahead.

**Mr. Flaherty:**

Allright, what had happened — it was the opinion of Pittsburgh '81, that this three-pronged question would not finally appear on the ballot. They thought it was such a sham and a charade on the public that somewhere along the lines, either the Mayor's Office, the City Law Department, the County Commissioners or the court would call it for what they felt it was. Their fear was that if they did not have 14,000 signatures, which would have to be in 90 days prior to the general election, that would have been I believe, the beginning of August, that if that three-pronged question would have been thrown out after, say August 3rd or 4th, then they would have had no recourse to put the question on the ballot. The issue for this year anyway, would have been dead and there would not have been a question on the ballot. Pittsburgh '81, I am sure, it was not their intent to put a fourth question on the ballot. It was just insurance to make sure that there was some question on the ballot. If I may add, Pittsburgh '81 did not contest this

three-pronged question in court. The Republican Party has. I know that Pittsburgh '81 had weighed the idea of contesting it in court, but the feeling of Pittsburgh '81 is that the people are entitled to something, and even if it is an asinine question, they agree with what Judge Papadakos said, that this Council has a right to be ridiculous, and they believe in accountability in government, and I go along and I concur with Pittsburgh '81 that after election day, the people are going to see some accountability from this Council, may it be good or bad, this Council is going to be accountable to that ballot question.

**Mr. Woods:**

You still haven't answered my question, Tom. What was Pittsburgh '81's petition for, for what question? That's all I asked you. What question, what were they asking for 10 Councilman? Three? Five? Six? Whatever — what were they asking for?

**Mr. Flaherty:**

Allright Ben, what they were asking for was to elect all members of Council from the districts, all nine, it was not a combination, they were circulating a question to elect all nine from the districts and they also specified, I believe, in that petition, that a candidate or a member of Council would have to reside in the district that they were seeking office from.

**The Chair:**

Excuse me Michelle, I think Mr. Stone was next, I think he owes an answer to Mr. Flaherty's charge that he was illegally ruled out of order in regards to —

**Mr. Flaherty:**

No, I did not say illegally — I said, if we can have the transcript, I did not say illegally Mr. President, I believe the words that I used through parliamentary procedure —

**The Chair:**

You implied he said you were out of order, then —

**Mr. Flaherty:**

No, but I didn't say illegally.

**The Chair:**

If you were out of order, it was illegal.

**Mr. Flaherty:**

I didn't say illegally.

**The Chair:**

Well, it was, if you were out of order.

**Mr. Flaherty:**

I said parliamentary procedure.

**The Chair:**

If you weren't out of order —

**Mr. Flaherty:**

Parliamentary procedure is legal in my eyes, it is not illegal. I didn't say illegal, and if you care to press it, we can have the steno read the transcript back.

**The Chair:**

I don't want to make an issue, I just thought Mr. Stone owed you an answer.

**Mr. Flaherty:**

Okay.

**The Chair:**

I didn't clearly know what you intended, regardless of what you said.

**Mr. Flaherty:**

Well, that's not what I said.

**Mr. Stone:**

Mr. President, if I may, I go back a little bit longer on this particular issue than some others on this Council. Having been elected and served on the Home Rule Charter Commission of the City of Pittsburgh, and at that particular time the issue came up whether we would change the form of election of City Councilman. At that time, the Home Rule Charter Commission came back and voted that it would be at-large, in the best interest of the City of Pittsburgh, when they constructed the Home Rule Charter.

That matter was not let to sleep too long when we had another effort to change it. That would not have in itself been bad, if the proponent of it knew what the heck they were doing. First they talked about a combination of six to three, then they changed within two or three weeks after that to seven - two, and since that time, I understand that those proponents are now preaching district. Now, if we are going to practice democracy, democracy gives the opportunity for all to be heard, and not people who would like to self-annoint themselves, and to create a climate where nothing can happen that gives anyone the freedom of choice. I listened to a public hearing that in my opinion was stacked, but nevertheless, coming

through, as I sat at that table, were those people who asked for combination, and various kinds of combination. There were those people who asked for district Councilmen and there were those who asked that it remain as is, at-large.

Somewhere lost in this particular discussion is how that particular ordinance was amended, and first and foremost, the third matter of that particular vote is an exact, identical wording of the language used by Mr. Flaherty himself. Never in one word changed.

The second one was put into that particular provision which Mr. Flaherty had never intended, but now seeks to be a proponent of, and that is Council by district, and that was couched in language almost identical to that which was in combination.

Relative to number one, the matter of electing at-large, that was intended originally to be put in exactly as it appears in the Home Rule Charter. The last sentence had to be changed because the City Solicitor had indicated that there had to be some change or it would not be permitted to go onto the ballot. But all in all, what it was intended to do was to give to the City of Pittsburgh citizens, an opportunity to vote the way they would like to vote.

This City Council has already passed it, it has passed through the test of rhetoric, and the majority has passed it. It went to the Board of Election, and after comment, they passed it. It has now been presented to a judge in test, and he has indicated he is prepared to put it onto the ballot. Let now, once and for all, all the squawking fathers and all of those proponents who think they know what the people want, let the people decide and let us abide by their decision once and for all without the constant

rhetoric every couple of years, with the subterfuge, without the attempt to make everybody unholy but the so-called unholy persons who are the proponents of it. I think somewhere along the line, there needs to come through a point of decency in this whole provision, instead of people acting like they are white knights on white horses, because I don't see any of those kind of people around.

**Mr. Flaherty:**

Could I respond to that.

**The Chair:**

Why are you laughing Bill Robinson?

**Mr. Flaherty:**

Mr. President, I'd like to respond to that.

**The Chair:**

Michelle, will you yield the floor?

**Michelle Madoff:**

No, I do not.

**The Chair:**

Okay, you have the floor Michelle.

**Michelle Madoff:**

I was recognized first.

**The Chair:**

She will not yield the floor.

**Michelle Madoff:**

Roberts Rules — doesn't matter whether they were "Robert Rade's Rules" or anybody else — quoting from the

letter from Mr. Mead Mulvihill, he says that "the Council reserve the order in the form and debate —

**The Chair:**

Wait, are you getting off the subject?

**Michelle Madoff:**

No, I am on the subject.

**The Chair:**

Well you better be on it because then Mr. Flaherty is going to take the floor.

**Michelle Madoff:**

I take personal reflection Mr. Stone, to the question under discussion, this rule empowers the President to decide what questions the Board are subject to appeal, but it goes on to say that "one cannot be offensive to another member of Council", and I just think that is unnecessary, talk about white knights and what have you and to be insulting. Let us not insult each other, let's behave like ladies and gentlemen. And on that order I go back to the beginning.

**Mr. Woods:**

Amen.

**The Chair:**

I didn't see Mr. Robinson get mad, did you get mad Bill?

**Michelle Madoff:**

The question is very simple —

**Mr. Stone:**



Well, perhaps its time to pass some mirrors around in this room.

**The Chair:**

When I was a kid the black knight was the hero, what was his name? Sir Valiant?

**Michelle Madoff:**

You are the culprit Mr. Stone, you are doing it again. You should be censored if you are insulting. I do not insult people.

When I raised the issue today, my purpose in raising it was the decision by the courts, the statement by the judge, all the editorials, everything that one has read that is stating that in the public's view, that it is not clear. Mr. Stone, it is a matter of record, corrected me, and I commend him for saying that he had stated, let the public choose. Let the public choose whether they want seven - two, let them choose whether they want at-large or let them choose whether they want it by district.

Unfortunately, somehow or other, even though this Council decided and outvoted us, and whatever legal procedure, or whether we would be out of order, that we would not fight the vote, we still have the right to do that today, it is a matter of time frame, we could have a resolution right now, it could be seconded, to vote by district which no doubt would fail, so it would be an exercise in futility. But if it was as it is today, the referendum will be changing on the ballot; seven - two; at-large or by district. It has to come out of this body in a clarified form. I disagree with Councilman Flaherty when he says the public is going to look to accountability afterwards. I say, as Councilmembers, as legislators, let us be accountable now, not after the public sees that we put on

an asinine bill that they can vote yes or no on three bills. And how do we resolve that? What I am saying to the esteemed President of this Council is, how, sir, would you recommend that we go about clarifying this bill so that we will not look, as the courts have said, that we have presented an asinine choice for the public. It is our responsibility, I don't know the answers, I am asking the question. Should we get the legal department, should we have a statement from the parliamentarian, how do we correct this erroneous, asinine, horrible

**Mr. Flaherty:**

We can't Michelle, we can't.

**The Chair:**

I don't know Michelle, I'm going to tell you this. Just for the record, I'm not trying to put anybody down on this Council, I was not in favor of the three-pronged referendum, however, as an alternative I was. I wanted, as Mr. Flaherty said, to go to a six - three, seven - two, or straight at-large or district, but we have it now, and as Mr. Stone said, all of the authorities have approved it and I don't think we can go back anymore. But I say, you are completely in order if you make a motion to change that vote and go straight, either district or at-large.

**Michelle Madoff:**

I think you misunderstand me.

**The Chair:**

There is no ruling or anything else, that is your prerogative.

**Michelle Madoff:**

Mr. President, I think you

misunderstand what I'm saying.

**The Chair:**

You are asking me how I'm going to straighten this matter out, I don't think God could come down and straighten it out.

**Michelle Madoff:**

Sir —

**Mr. Flaherty:**

I agree with you Mr. President.

**The Chair:**

With all I've been reading and all I've been hearing, its —

**Michelle Madoff:**

Perhaps I am wrong, and if I am wrong, I would like to understand so that my constituents, when they call me, I can explain it. Perhaps I am not the brightest, but I would like to learn, and would I would like to learn is, as it is presently worded on the ballot, is it not correct, that the people can pull one of six levers? They can pull three times?

**Mr. Flaherty:**

Yes.

**Michelle Madoff:**

That means they really don't have a vote.

**The Chair:**

I don't know if there are six levers, but I know you are talking about three yes and three noes.

**Michelle Madoff:**

Exactly.

**The Chair:**

I know they can vote three yes and three noes, I don't know if you can vote six.

**Michelle Madoff:**

I'm not through. If I appear to be shouting ladies and gentlemen, I have had laryngitis for six months and I'm trying to just speak normally so that I can be heard, I have a mike, I hope it is on, I do not mean to be shouting.

Mr. President, somehow or other the President of this body, and I would suggest, I would be fully happy to accept Mr. Stone as my spokesperson, to speak to the powers that be, the elected — the people who draft the Election Board procedure, to state how can we effectively have those three questions on the ballot. Obviously, it would be very simple, to, once you vote for one or the other, to lock out the other five, and it can be done. They say it can't be done, but it can be done, because when somebody dies before an election, they do lock out that person's name. What I am saying is, is it going to be possible mechanically, I am asking a question, that if you vote for seven — two, it would block out at-large and by district. If you vote at-large, would it block out the other two and so on.

**Mr. Flaherty:**

I can respond to that Michelle. State election law says, and I believe if my memory is correct, perhaps Councilman Stone can correct me, but I believe that the record will show that when we debated this issue back at the end of March when the three-pronged question was first put forth, I believe I asked Councilman Stone if it was his

intent to have a preference question, a strict preference question, and I —

**Michelle Madoff:**

Point of clarification, explain that to me.

**Mr. Flaherty:**

Well, a preference question — you have three questions, you can only vote for the one, and then the levers would be locked, but, the State Election Law says that under each referendum question you must have a yes and no, and therefore, in keeping in compliance with State Election Law, each of those questions has to have a yes and no open under them. So, what the people do have, you are 100% correct Michelle, all three questions could pass, two questions could pass, none of the questions could pass, in fact, at this stage of the game, that is what I think is going to happen. I spoke with the lead statistician at CMU's Graduate School of Public Administration and he seems to think all three questions are going to lose, simply because he believes without a thorough campaign to educate the people, it still is, will be a preference question, because the average voter will only go in and vote their first preference. Their top preference, and they will vote no on the other two.

**Michelle Madoff:**

Well isn't this what we want?

**Mr. Flaherty:**

Will you let me finish Michelle? So, if that happens, when you have a tally at the end of the day you are going to have a lot more noes scattered throughout those three questions than yesses. Therefore, all three questions will lose and therefore I suppose we keep

the at-large structure. That is without a thorough campaign to educate the people as to what is going on, I know that Pittsburgh '81 is going to do everything in their power to educate the people, and incidentally, Pittsburgh '81, I just want to add this one point, Pittsburgh '81, with them anymore, the beauty of this whole thing is, is the issue is not so much district representation, combination representation, at-large representation, the issue is Council's credibility and that is a lot easier to sell than district or combination at this point of the year.

**The Chair:**

Well, who's making this an issue Tom?

**Mr. Woods:**

I have a lot of faith, an awful lot of faith in the electorate, and I think they are intelligent enough to pick and choose and use their intelligence between the three questions, and to prove my point, they voted for Ben Woods twice didn't they? So, I'm sure they will be able to do something with this question.

**Mr. O'Malley:**

I would just like to address Mr. Flaherty's righteous indignation about accountability and credibility to the public. You know, its starting to get nauseous. Really, that Mr. Flaherty is the only one who is righteous.

**Mr. Flaherty:**

Righteous indignation — righteous — how do you spell that Jim?

**The Chair:**

Allright, come on now. You're bringing up what Michelle said about insulting one another, its not right.

**Mr. O'Malley:**

Since I have done seven months research on Council by district and Council at-large and combination, and Tommy knows, I've debated him two or three times on radio and television, and I think once that the public is aware of the facts of Council by district, there is no doubt in my mind that Council at-large will be voted in overwhelmingly. When the people realize that such cities as Cleveland and Detroit have Council by district —

**Mr. Flaherty:**

Detroit is at-large, you are 100% wrong. Detroit elects nine members of Council at large.

**The Chair:**

Tom, you'll have a chance for rebuttal, go ahead Jim.

**Mr. O'Malley:**

When they realize that Philadelphia and New York have a split Council, I think once the people get the opportunity to weigh the facts, both pro and con, there is no doubt in my mind that Council at-large will win overwhelmingly.

**Mr. Flaherty:**

I am going to be very brief and very concise, I just wish to respond to what Councilman Stone said. I thoroughly researched this issue too, I know he was a member of the Home Rule Study Commission, I believe he resigned — he had to resign shortly afterwards to take his seat on Council, but in my research of this issue, and I spend countless hours in the Pennsylvania Room at Oakland's main branch Library, reviewing the transcripts as to what the

public had to say. The first draft, the only draft that the Home Rule Study Commission came out with called for a combination plan of electing nine members by district and two members at large. This was taken from overwhelming public testimony. Public testimony was three to one in favor of change. As Jim Cunningham testified at the public hearing, a compromise was struck with Community Advisory Boards, okay? And that compromise, that experiment has failed in Cunningham's words, but what was the impetus for this compromise? The impetus for this compromise was the political powers in town, incumbent members of City Council were threatening to oppose the entire Charter. And members of the Home Rule Study Commission had many reforms in that Charter and so they were in a position where they had — where they were willing to strike a compromise with the Community Advisory Boards and keep the Council at-large. It was political dealing, it was not public testimony that kept the Charter at-large. If it was public testimony, the Charter would have changed, and to go on, I just have one more point, and I would like to ask Councilman Stone this question, Bob, as you said, you received a ruling, and you are correct, you used my language on that second and third question, that last sentence, and to make your first question a mandated question, a binding question, then you had to do something with that last sentence in the Charter. So, what you did is that you stripped Council of ever having the power to change to districts.

What I wanted to ask you is why didn't you just take my sentence and put it on the first question? You took my sentence off of the second question and you put it on the third, why didn't you take that same exact sentence and put it on the first, because that sentence contained the word combination and that

would have qualified it for a mandated question, wouldn't it? Wouldn't my last sentence on the second and third, on the first question, and you would have been consistent in doing that, wouldn't that have not qualified it as a mandated question?

**Mr. Stone:**

First of all, I gave you the second which was something you didn't want then, but now you want, and as far as the first one is concerned, that was the legal advice from the City Solicitor who had seen the provision as presented. I just complied with what he told us to do, there was no subterfuge, nothing but complying with a request from him for legal advice, he gave it and we put it on, that's all.

**Mr. Flaherty:**

No, but Mead Mulvihill did not tell you to strip the Charter, to strip Council of ever having the power to change by districts.

**Mr. Stone:**

Nobody has ever stripped anybody of anything.

**Mr. Flaherty:**

Well, if that first question passes, its going to strip Council of a power that it now has.

**Mr. Stone:**

Mr. Flaherty, that may be your opinion, and you know, you said you were going to be concise, if this is your comprehension of concise, I've lost touch with the definition of that word.

**Mr. Flaherty:**

And I just want to add, you can call me a white knight on a horse anytime, Carl Morris called me that a while ago.

**The Chair:**

If the Chair may take the prerogative, Mr. Woods put it so well a while ago, the public is going to have the choice of voting it up or down, I have enough confidence in the public that they will vote it the proper way, whether it is all district, seven and two, what have you, but you made a statement Mr. Flaherty, that you talk about being ridiculous — you said they had a consensus of opinion that they were going to change to nine and two, and then the gutless Home Rule Charter said they backed down because of a threat? What threat? If we would go out and get enough votes to beat it? If they thought they had us beat why didn't they go to the polls? Sure, I was one of those members who said I was going to lobby against it, but there was no threat. They backed down, and they're the ones doing all of the hollering, except for Kish who is now dead.

**Mr. Woods** moved to adjourn.

**Mr. Stone** seconded the motion.

**Michelle Madoff:**

Under Roberts Rules — Mr. President, I think it would not offend Mr. Woods and Mr. Stone, if I were to ask, what I think they are saying today, that they believe that the public is bright enough to choose, is that correct? That they will choose by voting for one of the three.

**The Chair:**

They have more confidence than you have.

**Mr. Woods:**

I said that the public is very intelligent, they voted for Ben Woods twice, so I know that they are intelligent.

**Michelle Madoff:**

How many dollars were spent on that campaign, and do you have the same dollars to educate the public on this bill? So I think that is a moot issue.

**Mr. Woods:**

No it isn't because I went out and spent them, so I suggest if you want that you go out and spend them.

**Michelle Madoff:**

I don't think that is the issue before us.

**Mr. Woods:**

Well you just raised the issue  
Michelle Madoff.

**Michelle Madoff:**

The issue before us right now Mr. Woods is that Mr. Stone and Mr. Woods and the rest of Council believe that the public is intelligent enough to choose, if you want to give them the right to choose, is that correct? But Mr. Flaherty's, as the bill is presently worded, because of the number of noes Mr. Woods, even if the public voted yes on one, automatically they'd be voting no on the others, even if a majority wanted one over the other, the noes would outweigh them and that is what I am asking for clarification on. Can you give me clarification on that, do you know that to be a fact or not to be a fact? Perhaps Mr. Stone can address that. I

want it on the record now.

**Mr. Woods:**

Isn't it up to the Election Bureau? Didn't the Commissioners rule on that?

**Michelle Madoff:**

That is the question I raised when I raised the issue today —

**Mr. Flaherty:**

Michelle, the bottom line of the thing is, that if the public votes for change, Council has the power to veto it, on the second and third question, that is what Councilman Stone's amendment says, that Council has the power to change back to at-large.

**The Chair:**

Does that answer your question?

**Michelle Madoff:**

No that doesn't answer my question, that is a separate and apart issue.

**Mr. Flaherty:**

Only on the second and third question, not on the first.

**Michelle Madoff:**

What I am asking Mr. President, is that if people go in, if Mr. DePasquale goes in and votes for whichever he chooses and they say at-large, perhaps I say seven - two, I don't know, but we go in and we vote our own preference, and somebody else votes their own preference, do the noes automatically demerit them because they are cumulative, outvote the majority vote,

and I need an answer to that and we need a legal opinion.

**Mr. Flaherty:**

In probability you can't get a legal opinion. Probability says that if a person goes in —

**Mr. Woods:**

Point of order Mr. President, now we want to talk about Roberts Rules of Order, Roberts Rules of Order say that a motion to adjourn is in order, anytime, I made the motion, it was seconded, without question, we will vote on it, under Roberts Rules of Order.

**The Chair:**

Okay, but first of all I have to tell you there are no minutes, there is a motion on the floor to adjourn, all in favor say aye. The ayes have it.

And Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, SEPTEMBER 14, 1981

No. 3

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Asst City Clerk

Pittsburgh, PA  
Monday, September 14, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 3821 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as

amended.

Which was read and referred to the Committee on Lands and Buildings

##### Mr. Givens presented

No. 3822 Resolution vacating the eight (8') foot Unnamed Way, sixty (60') feet east South Eighteenth Street, between Jane Street and Larkins Way in the 17th Ward of the City of Pittsburgh.

Also,

No. 3823 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission to attend Portland Cement Association Seminar, Hot Springs, Va., September 21-22, 1981, at a cost not to exceed \$99.00, payable from Code Account No. 1502, Miscellaneous Services, Department of Public Works.

Which were read and referred to the Committee on Public Works.

##### Michelle Madoff presented

No. 3824 Resolution amending Resolution No. 1293, approved 12/8/80, entitled, Resolution providing for a contract/s for waterline work in conjunction with the Department of Public Works, involved with the widening and improvement of intersections at the North Side at a cost not to exceed \$20,000, chargeable to and payable from the 1978 C.B. WD-78-3 (4-05-20-1175-78), by correcting encoding number for

**Capital Budget Line Item.**

Which was read and referred to the Committee on Water.

Also,

No. 3825 An Ordinance amending the Pittsburgh Code, Title Six - Conduct, Article I, Regulated Rights and Actions, Chapter 601, Public Order, by amending the Section 601.04, Unnecessary Noise and Sound Amplifying Devices, to forbid the playing of radios, tapes and record players on or near streets and sidewalks or other public property.

Which was read and referred to the Committee on Public Safety.

Also,

No. 3826 Communication from Richard Cosentino, Director, Department of Water, requesting permission for Messrs. Hanna, and Catullo to attend Community College Course on Backflow Protection Devices, September 14-17, 1981, at a cost not to exceed \$200.00, payable from Code Account No. 1701, Miscellaneous Services, Department of Water.

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 3827 Resolution further amending Resolution No. 1229, approved 12/29/79, effective 1/1/80, as amended, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980-85 Capital Improvement Program" by providing additional appropriation of \$76,826 for Project Code 4-10-05-1329-80 (PR80-05), Northgate Design and Construction, New Pool.

Also,

No. 3828 Resolution amending Resolution No. 76, approved January 30, 1981, effective February 9, 1981, entitled, "Providing for the letting of a contract/s in connection with the purchase and delivery of pumps...by increasing the amount provided from \$10,000 to \$11,165.97, from Project Code 4-10-03-1354-81, payable from PR 81-10.

Also,

No. 3829 Resolution amending Resolution No. 504, effective May 29, 1981, entitled, "Providing for the letting of a contract/s for the construction of the restroom building at Quarry Field; and providing for the payment of the cost thereof", by increasing the amount from \$70,000 to \$70,176.00.

Also,

No. 3830 Resolution amending Resolution No. 750, approved July 19, 1981, effective August 10, 1981, entitled, "Providing for the letting of a contract/s or use of existing contracts for the Northgate Swimming Pool and Bathhouse by increasing the amount provided from \$550,000 to \$626,826.00.

Also,

No. 3831 Resolution providing for a Contract/s or use of existing contracts for Pool Sewer Work in Schenley Park; and providing for the payment of the cost thereof, not to exceed \$10,000.00, payable from PR 78-32.

Also,

No. 3832 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$875.53

for extra work in connection with general contract at Highland Bathhouse.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 3833 Resolution transferring the sum of \$7,000.00 from Code Account No. 1468, Equipment, to Code Account No. 1464, Supplies and Materials, within the Department of Fire.

Which was read and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 3834 Resolution authorizing the City Controller to create a Special Trust Fund to be designated CODE TRUST FUND, into which there shall be deposited money charged for the purchase of all Building, Fire, and Mechanical Codes and Pittsburgh Supplements to the Code, and authorizing the Director of the Department of Housing to purchase such Codes.

Also,

No. 3835 Resolution providing for a contract/s with Women in Community Development for the purpose of conducting a needs assessment and analysis of housing needs of female-headed households at a cost not to exceed \$4,000 and providing for the payment of the cost thereof, payable from HD 80-12.

Also,

No. 3836 Resolution providing for a contract/s with Women's Center and

Shelter of Pittsburgh for the purpose of purchasing a structure at a cost not to exceed \$125,000.00, and providing for the payment of the cost thereof, payable from CDUL, 1981.

Also,

No. 3837 Resolution amending Resolution No. 437, approved May 1, 1981, which amends Resolution No. 174, approved February 20, 1981, entitled, "Providing for an Agreement/s w/County of Allegheny for the provision of the local matching share funds required in connection with the Economic Development Administration Revolving Loan Fund, administered by Pittsburgh-Countywide Corporation; further providing for legal, accounting and other expenses with the said Revolving Loan Fund; and providing for the payment of the cost thereof", increasing the amount from \$125,000.00.

Also,

No. 3838 Resolution further amending Resolution 1005 of 1979, providing for an agreement with Greater Pittsburgh Business Development Corporation for services in connection with Small and Minority Business Revolving Fund Program, by increasing the authorized amount from \$570,000 to \$820,000, the additional \$250,000 to be payable from DCD 81-05, Small and Minority Business Revolving Loan Fund.

Also,

No. 3839 Resolution approving the sale of Block 15G, Lots 245 and 248, Block 15H, Lots 125, 129, 174, 175, 201, 247 and 250, and Block 15L, Lot 264 (Climax, Estella & Delmont Streets) in the 18th Ward of the City of Pittsburgh by and between URA and Ablebuilt Homes, Inc., for \$1,000.00 per dwelling unit — Residential Land Reserve Fund.

Also,

No. 3840 Resolution approving a Neighborhood Housing Program Agreement between URA and Ablebuilt Homes, Inc., for housing to be constructed in the 18th Ward of the City of Pittsburgh.

Also,

No. 3841 Resolution approving the sale of Block 23E, Lots 135, 253 and 262B, and Block 23K, Lots 24 and 27, in the 25th Ward of the City of Pittsburgh by and between URA and Horn Brothers, Inc., for \$100.00 per lot — Great House Sale.

Also,

No. 3842 Resolution approving the sale of Parcel 181 (1313-15 Allegheny) in the 21st Ward of the City of Pittsburgh by and between URA and Edith M. Simonds for \$5,000.00, Redevelopment Area No. 27.

Also,

No. 3843 Resolution approving the sale of Parcel 219 (1228 W. North) in the 21st Ward of the City of Pittsburgh by and between URA and Albert and Bernice Goshay for \$2,400.00, Redevelopment Area No. 27.

Also,

No. 3844 Resolution approving the sale of Parcel 233 (1406 Page) in the 21st Ward of the City of Pittsburgh by and between the URA and Keith L. and Brenda L. Giles for \$1,600.00 — Redevelopment Area No. 27.

Also,

No. 3845 Resolution approving execution of a Disposition Contract by

and between URA and Ernest L. Fullerton, Jr., and Christine T. Fullerton for the sale of Block 23K, Lot 97A in the Twenty-Second Ward for \$3,000.00 — Residential Land Reserve Fund (408 Eloise).

Also,

No. 3846 Resolution approving execution of a Disposition Contract by and between URA and Thomas W. Armstrong and Marjorie S. Armstrong for the sale of Block 23K, Lots 211 and 213 in the 22nd Ward for \$950.00 — Residential Land Reserve Fund (1312 Sherman and 1311 Veto).

Also,

No. 3847 Resolution approving the sale of Block 70J, Lots 8, 9, and part of 30 (Jasmine Way), in the 28th Ward of the City of Pittsburgh by and between URA and Alex Pilini and Diana Pilini for \$1,000.00 — Redevelopment Area No. 24.

Also,

No. 3848 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 16-N-159, said property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh.

Also,

No. 3849 Resolution authorizing the URA of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by David C. & Agnes M. Greene and designated as Block & Lot 22-R-121 in the Deed Registry Office of Allegheny County, under the RLRf, said

property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 3850 Resolution authorizing the URA of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Delvor Carlisle and Gloria Carlisle, his wife, and designated as Block & Lot 23-K-97A in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 3851 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest if any, in and to the publicly owned property in the 11th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 50-D-27, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone presented**

No. 3852 Communication from Ronald Schmeiser, City Treasurer, requesting permission for Messrs. Fees and Dauer, Treasurer's Office, to attend Seminar on Collection of Delinquent Taxes, Pittsburgh, PA, September 17, 1981, at a cost not to exceed \$276.00, payable from Code Account No. 1063, Miscellaneous Services, Department of

City Treasurer.

Also,

No. 3853 Communication from John E. McGrady, City Controller, submitting a performance audit of the Housing Code Enforcement system as of September, 1981.

Also,

No. 3854 Communication from John E. McGrady, City Controller, submitting a performance audit of the Special Facilities in the Department of Parks and Recreation.

Which were severally read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 3855 Resolution authorizing the transfer of \$54,000.00 to Code Account 1150, Outside Repairs, Department of Supplies, from various Environmental Services and Fire Department Code Accounts as listed.

Which was read and referred to the Committee on Finance.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**The Chair presented**

No. 3856 Petition from the residents of the City of Pittsburgh

requesting Council to hold a hearing on whether or not it is a safe for city employees to use the airlines on official city business as long as the current strike by PATCO continues.

Which was read and referred to the Committee on Finance.

**Michelle Madoff:**

Mr. President, I'm sorry I was delayed, may I ask the Clerk, did you introduce my ordinance on the radios?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

I asked and someone said it was not introduced, I was just curious. It was introduced.

**Mr. Perry:**

Yes ma'am.

**Michelle Madoff:**

Thank you. I'd like to point out if I may, that the media has reported that the Mayor and the Administration felt that my wording was very harsh. At the time, and it is a matter of public record, I stated that I was not married to the words and that I was asking the legal department to review the constitutionality and for them to draft the language and the penalty. I'm not quite sure from the re-drafted bill, I presume it falls under the misdemeanor of \$300.00, but we'd have to check that with Mr. Pellegrini. I just wanted to check, it is introduced, right?

**The Chair:**

Yes.

**Michelle Madoff:**

Thank you.

## **REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 3857

Report of the Committee on Finance for September 8, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3811

Resolution entitled, "Resolution making technical amendments to Resolution No. 770 of August 10, 1981."

Which was read.

Also,

Bill No. 3812

Resolution entitled, "Resolution transferring the aggregate sum of two hundred fifty thousand dollars (\$250,000.00) to Code Account 53-1, Reserve Fund, Debt Service, Stadium Authority from various Code Accounts."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 3858

Report of the Committee on Public Works for September 8, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3741

Resolution entitled, "Resolution amending Resolution No. 619, approved July 2, 1981, effective July 13, 1981, entitled, 'Providing for a Contract or Contracts for step reconstruction at various locations in the City of Pittsburgh; and providing for the payment of the cost thereof,' by amending the title."

Which was read.

Also,

Bill No. 3742

Resolution entitled, "Resolution providing for a Contract or Contracts, or

the use of existing Contracts, for street lighting maintenance on various streets throughout the City of Pittsburgh; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill 3742, you know it was discussed the other day, where were these street lightings to be and Market Square was not included. I wonder whether some of the areas that are included, whether the people are being notified. I've been getting some calls at my office with people not liking the type of lighting that is going in and I understand that, for example, on Market Square where the merchants in the area feel it is keeping business away because of the lack of lighting, people are afraid of getting mugged and whatever, they have already decided on the lighting without consulting the merchants. So, what I had done the minute I heard about it, I have them contact Mr. Gaetano, and a petition was presented, I think to you today, Mike? The petition from the people in Market Square with 25 signatures or better?

**Mr. Perry:**

I didn't get it.

**Michelle Madoff:**

Well my aide has it for you, and they want a hearing but it is not necessary to have a hearing, if indeed they can get together and work these problems out in advance. But you do have the petition coming to you today Mr. President, on that particular item.

**The Chair:**

I am aware of it, but I am a little

curious, I thought that that area was the best lighted in the City of Pittsburgh.

**Michelle Madoff:**

No sir, I was there and it is very poorly lit.

**The Chair:**

Well, I haven't been there lately but a few months back it seemed to me that it was more illuminated than anywhere in town. But if they say it isn't I guess it isn't.

**Michelle Madoff:**

I've walked through there, you need someone to walk you across the square.

**The Chair:**

Okay, thank you.

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. Stone  
Mr. DePasquale  
(Pres't)

**AYES 9**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

**Bill No. 3859**

Report of the Committee on Planning, Housing & Development for September 8, 1981, transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

**Bill No. 3797**

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Five, Article VII, Parking, by adding a new Chapter 549, entitled 'Residential Parking Permit Program' by providing for the establishment of Residential Parking Permit zones, the issuance of parking permits and penalties for violation of this Chapter."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

**AYES 9**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bill



passed finally.

Also,

Bill No. 3798

Resolution entitled, "Resolution requesting the Directors of the Departments of City Planning and Public Works to assist the residents of the St. Francis Hospital - Lawrenceville area of the City to establish a pilot sticker parking program in their neighborhood."

Which was read.

**Mr. Givens:**

I have one concern on this bill Mr. President, the fact that they are going into a pilot program, how are the people that live in the neighborhood and how are the people that are coming into that neighborhood, and some of them only when someone is ill within the family, at St. Francis Hospital — how is the City going to administrate this program?

**The Chair:**

I'll let Mr. Robinson answer, but I was just going to say that they are going to somehow issue stickers, how they are going to be paid for or that, I don't know, but that is a matter to be taken up. Mr. Robinson.

**Mr. Robinson:**

Mr. President, the legislation before Council authorizes the necessary legal actions to be taken to establish the program. The Planning Department will be working with the hospital and residents in that area in terms of setting up the very specifics of the situation. One of the things that we are fortunate in having is the history of other cities to work with, there are a number of cities in the country where this program has

worked effectively, there are some where it has not worked effectively. It was the feeling of those of us who had worked on this, that we might try one area in the city to see if it works in that area and then use that as some sort of a value to see if it can go elsewhere.

Mr. Givens' concern has been addressed and will be addressed and there will not be a lot of chaos and confusion when this program is implemented.

**The Chair:**

Does this give them a priority Bill, in regards to parking in front of their house or residence?

**Mr. Robinson:**

Yes.

**Mr. Givens:**

Well, I guess still, my concern is, how are they going to inform the residents of that community? Are they going to the community groups, are they going to the various political entities within the neighborhood?

**The Chair:**

I think Bill answered that Dick, when he said that they have that action under way and they will inform the residents somehow as to how to get those stickers and how to pay for them.

**Mr. Givens:**

Well see, that's not spelled out in the bill specifically, and I'm sure they can gain a lot of experience, but I would like, before they implement this procedure, if we could, Mr. President, have someone come back in and brief this Council as to how they are going to

implement it. The procedural steps that they are going to take, because I don't want it to you know —

**The Chair:**

Why don't we have Mr. Lurcott in on Wednesday? Mike, get Director Lurcott in.

**Mr. Perry:**

Excuse me, in the cover letter here it says that they are going to assist the residents in that area, the community.

**Mr. Givens:**

Well Mike, I know, but I want to know how they are going to do it. I mean what is their plan?

**The Chair:**

He has a good point, its sort of up in the air.

**Michelle Madoff:**

Mr. President, may I ask Mr. Robinson a question?

**The Chair:**

Certainly.

**Michelle Madoff:**

Mr. Robinson, wasn't this plan in conjunction with the residents of the neighborhood? Weren't they consulted?

**Mr. Robinson:**

Some time ago the Planning Department conducted a study of the East End traffic conditions which took into consideration some of the problems in the area of West Penn Hospital. Also,

we did have a hearing which specifically related to this matter, so the Department is well aware of the problem and have worked in conjunction with community groups and organizations in the area and I think they have come up with a pretty good program. One of the reasons that the total program was not outlined in the legislation is that the legislation is not the appropriate place to deal with the administration of the program. That is something that is traditionally handled by the Planning Department and they plan to use their normal procedures to carry out this program.

**Michelle Madoff:**

You've answered the question, the point I was making is that perhaps Mr. Givens wasn't aware that this was not something the Administration is inflicting on the community, but something the community has requested.

**Mr. Robinson:**

No, not at all, not at all.

**Michelle Madoff:**

And helped plan, right?

**Mr. Robinson:**

There were at least three communities that were represented at the hearing that we had, they expressed a very sincere interest in this program and the department did an evaluation of the three areas and they determined that they could only conduct one program, which meant the two areas would not participate in the pilot program, and the Director, on his recommendation, selected the St. Francis area feeling that if we could get the program started in one area in the city, and effectively evaluate it, perhaps we could determine

if we could go into other areas.

Also, there is just a very serious problem about staffing. If we tried to do all three areas, we would have to hire at least five or six additional staff people in the Planning Department.

**Mr. Stone:**

Mr. President, first of all, maybe Mr. Robinson is interested, but I think this record ought to reflect that the Oakland group had asked for this particular project initially and I am understanding now that this would not freeze out their potential for an effort to try, and since they had originally initiated it, I hope it does not freeze them out. I think he has responded to that, so that one is okay.

I would just like to leave one bit of caution if I may, and the thing that bothers me about the sticker thing — I think it has, in the initial stages of it, some good, but I think it tends, in the overall end, to start leading toward to payment of a parking spot, and with that I have some reservations about the future ultimate direction of this kind of legislation. So, with that I will abstain on this bill.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods

Mrs. Masloff

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

(MR. STONE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Woods presented**

Bill No. 3860

Report of the Committee on Supplies for September 8, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3702

Resolution entitled, "Resolution providing for the letting, during the calendar year 1982, of contracts, and for the use of existing contracts, for the maintenance, rental, inspection or servicing of personal property and for the maintenance and repair of buildings, structures, or any other properties in the custody of various departments of the City of Pittsburgh, and for the miscellaneous services in and for any or all departments of the City of Pittsburgh, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Michelle Madoff presented**

Bill No. 3861

Report of the Committee on Water for September 8, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3765

Resolution entitled, "Resolution providing for a contract or contracts for the Relaying of Water Lines in Various Locations and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3766

Resolution entitled, "Resolution providing for a contract or contracts for the Painting of the Allentown Tanks and other work incidental thereto, and providing for the payment of the cost

thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Woods
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mrs. Masloff presented**

No. 3862 WHEREAS, on September 25, 1981, Paul J. Slantis will retire from his position as Pittsburgh Post Gazette Photographer; and

WHEREAS, Mr. Slantis began this post in 1946, thus completing 35 years of service; and

WHEREAS, during these 35 years, Mr. Slantis covered practically every major event in the City of Pittsburgh, capturing and bringing to the public the events that shaped the history and growth of our great city; and

WHEREAS, Mr. Slantis' sincere dedication and honest pride in his work has enriched and enlightened readers, and the spirit of his work and the fruits of his labor will be prized in Pittsburgh for many years to come.

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Members of the Council of the City of Pittsburgh on behalf of the citizens of Pittsburgh, hereby recognize and salute Mr. Paul J. Slantis for his 35 years of distinguished service as Pittsburgh Post Gazette Photographer, where he so artfully preserved the events that shaped the history and growth of our city, and wish him a rich and happy retirement.

Which was read.

**Mrs. Masloff** moved for approval.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**The Chair:**

I would like to say at this time that Paul and I went to the same grade school together, he was a little older than I am and I recall him very well, and I certainly want to wish him, on behalf of Council, all the good fortune and success in the world upon his retirement.

**Mr. Robinson** presented

No. 3863 WHEREAS, the fiscal policies of the current national administration in Washington, District of Columbia, have set an economic trend in this nation, which is adversely affecting millions of Americans; and

WHEREAS, the United States

Congress has initiated legislative action to implement substantial and massive budget cuts, as well as the elimination of numerous programs to assist the poor and disadvantaged people; and

WHEREAS, the Pittsburgh Solidarity Day Coalition has been formed to mobilize the Pittsburgh community to join in support of the September 19 Solidarity Day Demonstration against the budget cuts; and

WHEREAS, the American Federation of Labor - Congress of Industrial Organizations and the National N.A.A.C.P. and other labor and civil rights organizations are the endorsers and sponsors; and

WHEREAS, national as well as local churches, community organizations and labor unions are supporting this massive effort.

NOW THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh and the Mayor on behalf of the citizens of Pittsburgh support and recognize Solidarity Day, September 19, 1981, and encourage the national administration to recind the current budget cuts. Furthermore, the Mayor and Council implores the United States Congress to insure that programs for the truly needy not be terminated or underfunded.

Which was read.

**Mr. Robinson** moved for approval.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**The Chair:**

The resolution is adopted, Mr.

Robinson will you come forward to present the resolution?

**Michelle Madoff:**

May I ask a question Mr. President, on this subect? It says, "urging the Mayor" -- has anyone asked the Mayor whether he would be part of this? I would assume he would be chomping at the bit. I presume he is more concerned, or as much concerned as Council is about the cuts in the -- has anyone asked him, whether he has put out his own proclamation?

**Mr. Stone:**

He's been on record against these already.

**Michelle Madoff:**

I just wondered whether he had been part of ours because we are urging him, I don't think we have to urge him, I think he is with us.

**Mr. Robinson:**

Mr. President, I believe Mr. Saxon is here representing the Coalition, he would like to come forward and make a presentation.

**Mr. Saxon:**

I would like to thank the members of City Council for having the forethought and understanding to pass this resolution and hopefully, that we can see all of you in Washington, D.C., because we are now facing some of the most turbulent times that we ever faced in the history of this country. With a man like President Reagan threatening to take us back to what the country was before the Roosevelt era. Thanks very much.

**The Chair:**

Thank you very much.

**Mr. Woods presented**

No. 3864 WHEREAS, the Pitt Panther Marching Band, under the direction of Mr. Donald Hower and Mr. Vincent Biancucci, has developed into one of the finest marching bands in the country; and

WHEREAS, the Pitt Panther Marching Band includes among its many achievements, performances at the 1975 Sun Bowl, the 1977 Sugar Bowl, the 1977 Gator Bowl, the 1978 Tangerine Bowl, and most recently, the 1980 Gator Bowl; and

WHEREAS, the musicians, Golden Girls, Band Managers and Drum Major of the Pitt Panther Marching Band demonstrates the excellence that has come to be associated with the "City of Champions".

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the members of the Council of the City of Pittsburgh here designate Saturday, September 19, 1981 as "Pittsburgh Panther Marching Band Day" in honor, recognition, and appreciation of the outstanding achievement and performance by the ladies and gentlemen of the Pitt Panther Marching Band.

Which was read.

**Mr. Woods** moved for adoption.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Hower:**

Thank you, I appreciate this and we have about 220 young men and women out at the University of Pittsburgh who

put in a lot of time and a lot of hard work into making Saturday afternoons enjoyable, and I accept this on behalf of them because they are the people who do the work on a Saturday afternoon, and they do it because they enjoy it, we have a totally volunteer band, there are no scholarships and they are there because they enjoy it and as I say, I accept this on behalf of them.

I would also like to say I thank the persons on my staff, Vince Biancucci, four or five other people who have taken a lot of their time and hard work in the past seven or eight years to really make this thing a success, and I think they all appreciate this type of recognition as much as I do. Thank you very much.

**Mr. Biancucci:**

I would like to thank City Council and especially Ben Woods for making this presentation because it is the first ever given to the University of Pittsburgh Marching Band in its long history, so it has been a long time in coming and we really do appreciate it, thank you very much.

**Michelle Madoff:**

Before you leave gentlemen, I would like to ask a question. Do you have a City flag? Do you march with a City flag?

**Mr. Biancucci:**

No, we don't.

**Michelle Madoff:**

Would you like to have one.

**Mr. Biancucci:**

Yes.

**Michelle Madoff:**

We had a group come to us who go all over the country representing us and they didn't get a City flag and we found one and we have an extra one somewhere in the storeroom and I think we can get it to you.

**Mr. Biancucci:**

Thank you.

**The Chair:**

We have something in common gentlemen, I once wore one of your uniforms to sneak into a football game several years ago. That's the closest I came to getting in the band. Thank you again gentlemen.

**Michelle Madoff:**

Mr. President, last week — today, I had a call from one of the police officers who patrolled in the area of Heinz Hall and the Stanley Theatre, and, as you are aware, last week there was "Evita," a full house at the Stanley Theatre, and a full house at Heinz Hall, a twenty-one-year-old conductor. I had tickets to both and couldn't attend both and turned my tickets in and happened to bump into the policeman and complained of what a problem I was confronted with. In the City-owned parking lots, it used to be when you went in, in order to avoid the crowds, everybody coming out at once, and traffic being what it is anyway, to pre-pay. You could go in, and I think it was \$1.75, and you pre-paid your ticket. For some reason they have changed that. I don't think there is anybody who wants to pre-pay who would object to it being \$2.00. It took me 20 minutes to go one block. I just don't understand why that is the case. It is a severe traffic problem. The police are very understaffed. I don't know what is

in order, and I would appreciate if somebody would look into it, perhaps the City Clerk. It may be in the purview of the City or the County or a joint effort, but it is a garage one block down and across from Heaven. You used to be able to pre-pay. This is the first time I didn't pre-pay, and the police are very distressed about it. When people come pouring out of those facilities, it is really compounding the problem of traffic, so I presume it would be in order to write to the head of our garages, Mr. Charlton, and find out what can be done and whether we can re-institute that practice. If its a matter of not knowing the fee, \$1.50, \$2.00, to pre-pay —

**Mrs. Masloff:**

Which one of those garages downtown is privately leased? There isn't one garage owned by more than one person or groups of people, so which garage? The one down near Heaven is leased by Myers Company. Each one is leased by a different company.

**Michelle Madoff:**

I still think Council could have some input. Mr. Stone, what would be in order to investigate this?

**Mr. Stone:**

Probably check with the Parking Authority, but they set up some new rates that just went in two weeks ago.

**Michelle Madoff:**

Thank you. If the Clerk would write to Mr. Charlton and suggest that.

I have another item Mr. President. Last week when I raised the issue of examining balconies and the facilities that might be used, even the balcony here going into Kaufmann's,

somebody might have a dance there. One of my colleagues pointed out that he felt there are laws on the books, and therefore, we don't need more laws, becoming redundant. I wish I had talked to Fire Chief Lewis who had a call in to me, and he told me he is very grateful to Councilman O'Malley for the bill that he is introducing, because he says while we have all these laws on the books, it is only when something like this is brought before Council and emphasized that he gets the help that he needs in enforcing laws. I wanted that to be a matter of public record in the Monday meeting, because I wasn't just introducing something for glory. I have great concerns with what happened in the Kansas City episode. I will point them out to the building inspectors. There are balconies that on Fridays and Wednesdays, there are places Mr. O'Malley will be addressing specifically. He's doing a fine job, spent months on very specific target areas. The only reason to reiterate and make it a resolution as opposed to the ordinance, we know the ordinances are there. There are hundreds of them, but they are not being enforced. How do you get them enforced? When Council as a legislative body says, "This is a priority."

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, SEPTEMBER 21, 1981

No. 3

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAY...Asst City Clerk**

Pittsburgh, PA  
Monday, September 21, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

As our first order of business, Mr. Robinson has a resolution he would like to present.

**Mr. Robinson presented**

NS. 3294 WHEREAS, Pittsburgh

Working Women have been dedicated to improving the working conditions of local low income workers for the past two years; and

WHEREAS, the organization has launched a progressive and positive program to educate the general public on the working standards, pay scales and professional advancements of women in our area; and

WHEREAS, their courageous efforts have been documented in the media, recognized by various units of government and appreciated by those who believe in equality and equal opportunity; and

WHEREAS, their tireless efforts have supplemented those on-going projects to improve the quality of life in our city.

#### NOW, THEREFORE,

BE IT RESOLVED, that the Mavor and the Council of the City of Pittsburgh does recognize, appreciate and honor Pittsburgh Working Women and applaud their accomplishment to bring equality to the "Work Place".

Which was read.

**Mr. Robinson** moved for approval.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**The Chair:**

Mr. Robinson, would you like to present that?

**Mr. Robinson:**

Yes Mr. President, if I might, Miss Betty Arenth, who is the Executive Director of Pittsburgh Working Women is here along with Miss Elaine Smith, who is an organizer, also with Pittsburgh Working Women, and I would like to have them come forward so that the City Clerk can present them with a gold seal copy of the resolution and I believe they would like to make a few comments.

**Miss Arenth:**

I would like to take this opportunity to thank Councilman Robinson and the rest of the members of City Council for presenting Pittsburgh Working Women with this resolution. We have been working tirelessly for the past three years to try to improve the situation for low income women workers in the city, and on behalf of the members of Pittsburgh Working Women I would like to thank you and invite each of you to attend our public hearing on equal employment which will be taking place on October 13th at 12:00 Noon at Trinity Cathedral. Thank you.

**The Chair:**

Congratulations young ladies.

## **PRESENTATIONS**

**Mr. Flaherty presented**

No. 3865 Resolution providing for the sale by the City of Pittsburgh and School District of Pittsburgh of Block 11-J, Lot 002 in the First Ward of the City of Pittsburgh, to the Urban Redevelopment Authority for \$50,000.00.

Which was read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 3866 Resolution providing for an Agreement/s with the Norfolk and Western Railroad for permission to tunnel under their tracks in connection with the reconstruction of the Saw Mill Run Sewer.

Also,

No. 3867 Resolution providing for an Agreement between the City of Pittsburgh and Reserve Township in connection with the reconstruction of Pittview Street.

Also,

No. 3868 Resolution amending Resolution No. 182, approved 3/15/80, effective 3/21/80, entitled, "Providing for a contract/s for the construction of the Schenley Park Sewer; and providing for the payment of the cost thereof," by amending the title and by increasing the project allocation by \$35,000.00; from C.A. PW 80-29 - 4-01-25-0200-80 - \$125,000.00, to C.A. PW 80-29 - 4-01-25-0200-80 - \$125,000.00; C.A. PW 81-29 - 4-01-25-0752-81 - \$35,000.00 - Total \$160,000.00.

Also,

No. 3869 Resolution further amending Resolution No. 172, approved 2/20/81, effective 3/2/81, as amended by Resolution No. 307, approved 3/26/81, effective 4/3/81, entitled, "Providing for an Agreement/s with Michael Baker, Jr., Inc., for Professional Services in connection with a preliminary permit for hydroelectric facilities at the Allegheny River Lock and Dam No. 2, and providing for the payment of the

cost thereof", by authorizing the project allocation by \$3,500.00, from C.A. PW 81-38, 4-01-35-0003-81; \$5,000.00 to C.A. PW 81-38, 4-01-35-0003-81 - \$8,500.00.

Also,

No. 3870 Resolution further amending Ordinance No. 212, approved 4/30/73, as amended by Resolution No. 437, effective 5/27/80, as amended by Resolution No. 708, effective 8/8/80, entitled, "An Ordinance providing for an Agreement with the Commonwealth of Penna., Department of Transportation, for the improvement of Legislative Route 257, Section 27T (Intersection of Steuben Street, Ingram Avenue and Woodmere Drive); L.R. 246, Section 37T and L.R. 76, Section 43T (Topics), and providing for the payment thereof; also, authorizing an Agreement between the Commonwealth of Penna., and the City of Pittsburgh for the credit to the City of Pittsburgh of \$3,961.64, which represents expenditures by the City of Pittsburgh for the purchase and storage of traffic and signal equipment to be used within the limits of the project," by amending the project Code Account from Bond Fund No. 225, Temporary Indebtedness Note 1 of 1982, 4-01-00-0001-72 to Bond Fund No. 225-127, Topics Program, 4-01-01-0230-72.

Also,

No. 3871 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Edward Gergerich, to attend Executive Management Program for Transportation and Traffic Engineering Executives, Penn State University, September 20-25, 1981, at a cost not to exceed \$1,311.20, payable from Code Account No. 1530, Miscellaneous Services, to be reimbursed by the Federal Government, Department of Public Works.

Also,

No. 3872 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Messrs. Aul, Stofko, Weres, Killmeyer, Perkuns and Tumas to attend Structural Fatigue Seminar, Pittsburgh, PA, October 5, 1981, at a cost not to exceed \$180.00, payable from Code Account No. 1530, Miscellaneous Services, Department of Public Works.

Also,

No. 3873 Communication from Louis Gaetano, Director, Department of Public Works, transmitting Trial Traffic Regulations on Smallman Street for 60-day period beginning September 11, 1981.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3874 Communication from Richard M. Cosentino, Director, Department of Water, requesting interim approval of payment of \$2,510.00 for repair to Back-Hoe Loader, payable from Code Account No. 1705, Repairs, Department of Water.

Which was read and referred to the Committee on Water.

#### **Mrs. Masloff presented**

No. 3875 Resolution authorizing the issuance of a warrant in favor of Tedesco Landscaping Contractors in the amount of \$2,260.00, in payment for work performed at Phillips Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof, PR-81-31 - 4-10-15-0009-81.

Which was read and referred to the Committee on Finance.

Also,

No. 3876 Resolution amending Resolution No. 934, approved September 19, 1980, effective September 26, 1980, entitled, "Providing for the letting of a contract/s for construction of improvements at South Side Park; and providing for the payment of the cost thereof", by decreasing the authorized cost from \$115,000.00 to \$102,634.00. Project Code 4-10-10-1498-78-107-78-10 (PR 78-19) South Side Park Improvements.

Also,

No. 3877 Resolution providing for an Agreement/s or use of existing Agreements for architectural, engineering or other professional services in connection with the design and renovation of picnic shelters including Highland Park (Rhododendrum) and providing for the cost thereof not to exceed \$8,750.00 - 4-10-10-1650-81, (PR 81-23).

Also,

No. 3878 Resolution providing for the letting of a contract/s or use of existing contracts for the erection of Prefab Picnic Shelters and Associated Equipment; and providing for the payment of the cost thereof not to exceed \$28,000.00 - 4-10-10-1640-81 (PR 81-22).

Also,

No. 3879 Resolution providing for acceptance by City from School District of Pittsburgh of Lee School Site (19th Ward) and Wightman School and Davis School Playground Sites (14th Ward), for Public Recreational Purposes, for

nominal consideration plus cost of title examinations, recording deed/s, other proper closing expenses and providing for the payment of same (4-10-06-1401-81) PR81-12 - \$2,500.00.

Also,

No. 3880 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$412.85 for extra work in connection with Manchester Park and Pool.

Also,

No. 3881 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,306.98 for extra work in connection with electrical contract for Westwood Pool.

Also,

No. 3882 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,273.50 for extra work in connection with electrical construction at Broadhead Fording Park and Pool.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 3883 Resolution providing for an Agreement/s with the University Health Center of Pittsburgh/Center for Emergency Medicine for medical operations direction in connection with the Department of Emergency Medical Services, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account No. 1421, EMS,

Miscellaneous Services.

Which was read and referred to the Committee on Public Safety.

**Mr. O'Malley** moved to suspend Rule 5 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

Also,

No. 3884 Resolution providing for the issuance of a warrant in favor of Detective Second Grade Regis Hennessy, in the amount of \$100, for partial financial replacement for items damaged while on duty; and providing for the payment thereof.

Also,

No. 3885 Resolution providing for the issuance of warrant in favor of the International Business Machines Corporation in the amount of \$1,383, in payment for rental of equipment for July, August, September, 1981, chargeable to Code Account No. 1447, Miscellaneous Services, Department of Police.

Also,

No. 3886 Resolution transferring the sum of \$1,000.00 from Code Account No. 1468, Equipment, to Code Account No. 1463-1, Educational and Traveling Expenses, within the Department of Fire.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3887 Communication from Charles Lewis, Chief, Fire Department, requesting permission for Captain Thomas Hitchings to attend Interagency Committee on Arson, Harrisburg, PA, October 9, 1981, payable from Code Account No. 1463-1, Educational and Traveling Expenses, Department of Fire.

Also,

No. 3888 Communication from Charles Lewis, Chief, Fire Department, requesting permission for Captain Joseph Somma to attend 1981 Life Safety Code 101 Seminar, Chicago, Illinois, October 13-16, 1981, at a cost not to exceed \$1,000.00, payable from Code Account No. 1463-1, Educational and Traveling Expenses, Department of Fire.

Which were severally read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 3889 Resolution authorizing the issuance of a warrant in the amount of \$718.00 in favor of Raymond Crowe in payment for the emergency demolition and removal of 2 story garage located at 812 Galveston Street, rear, without previous authority of law.

Which was read and referred to the Committee on Finance.

Also,

No. 3890 Resolution amending Resolution No. 97, approved February 22, 1980, effective February 28, 1980, as previously amended by Resolution No. 418, approved April 21, 1978, effective April 25, 1978, providing for an agreement/s with the Housing Authority of the City of Pittsburgh to employ a Housing Inspector to seek and locate suitable housing units which comply with

requirements of Section 8 by increasing the amount of the agreement/s from \$30,250.00 to \$42,033.14.

Also,

No. 3891 Resolution repealing Resolution No. 18, effective January 15, 1981, entitled, "providing for an Agreement/s with consultant/s for design of street furniture, landscaping and preparation of design controls in connection with the implementation of the Oakland Study.

Also,

No. 3892 Resolution amending Resolution No. 983, effective October 16, 1980, entitled, "Providing for an Agreement/s with the Pittsburgh Neighborhood Alliance for the implementation of the Communities Combatting Crime in various CDBG Neighborhood Revitalization Areas in the City, so as to increase the amount of funds to cover a time extension of the original Agreement.

Also,

No. 3893 Resolution providing for designation of certain districts and structures as being of Historic and Landmark Significance under Section 3 of Ordinance No. 20, approved July 30, 1979, designating Manchester as a Historic District.

Also,

No. 3894 Resolution amending Resolution 1074 approved November 29, 1979, entitled, "Providing for a Cooperation Agreement with the URA for implementation of City-wide Revolving Loan Fund," by increasing the authorized amount from \$500,000.00 to \$515,000.00, additional \$15,000.00 payable from DCD 79-07, Minority

Enterprise Small Business Investment Corporation, Capital Investment Program.

Also,

No. 3895 Resolution amending Resolution No. 369, approved April 25, 1980, entitled, "Providing for agreements with Business and Job Development Corporation for improvements to 7800 Susquehanna Street and development of Steel Can Recycling Center, by reducing authorized amount from \$75,000.00 to \$60,000.00, payable from DCD 79-07, Minority Enterprise Small Business Investment Corporation, Capital Investment Program.

Also,

No. 3896 Resolution approving execution of a Disposition Contract by and between URA and William H. James for the sale of Block 15H Lot 156 in the Eighteenth Ward—Residential Land Reserve Fund (406 Climax).

Also,

No. 3897 Resolution approving execution of a Disposition Contract by and between URA and Ronald J. and Stephanie L. Zak for the sale of Block 57G, Lot 231 in the Fifteenth Ward—Residential Land Reserve Fund (5603 Second Avenue).

Also,

No. 3898 Resolution approving execution of a Disposition Contract by and between URA and Mark J. and Susan M. Beatty for the sale of Block 16N, Lot 159, in the 19th Ward for \$300.00—Residential Land Reserve Fund (1403 Napoleon).

Also,

No. 3899 Resolution approving execution of a Disposition Contract by and between URA and Abbas A. and Sabreen A. Aquil for the sale of Block 23F, Lot 217 in the Twenty-Fifth Ward of the City of Pittsburgh for \$150.00—Residential Land Reserve Fund (1526 Arch Street).

Also,

No. 3900 Resolution approving the sale of Parcels 173B and 174A-2 (1429 Pennsylvania and 1434 Stedman) in the 21st Ward of the City of Pittsburgh by and between URA and Creighton D. Green and Cheryl L. Janey for \$1,145.00—Redevelopment Area No. 27.

Also,

No. 3901 Resolution approving the sale of Parcels 19 and 20 (1907 Fulton and 1300 Adams) in the 21st Ward of the City of Pittsburgh by and between URA and John S. Lindell for \$850.00—Redevelopment Area No. 27.

Also,

No. 3902 Resolution approving the sale of Parcel 7A (1428-30 Beldale) in the 21st Ward of the City of Pittsburgh between URA and John S. Lindell for \$400.00—Redevelopment Area No. 27.

Also,

No. 3903 Resolution approving the sale of Parcels 69 and 70 (1711-1707 Manhattan) in the 21st Ward of the City of Pittsburgh by and between URA and Wayne R. Young for \$1,400.00—Redevelopment Area No. 27.

Also,

No. 3904 Resolution approving the sale of Parcel 276 (1112 Bidwell) in

the 21st Ward of the City of Pittsburgh by and between URA and Gerald Thomas for \$2,200.00—Redevelopment Area No. 27.

Also,

No. 3905 Resolution approving the sale of Parcels 21 and 22 (1818-1816) Chateau) in the 21st Ward of the City of Pittsburgh by and between URA and Francis Kearns for \$1,800.00—Redevelopment Area No. 27.

Also,

No. 3906 Resolution approving the sale of Parcel 227B (1426 Faulsey) in the 21st Ward of the City of Pittsburgh by and between URA and Rena C. Hutchins for \$200.00—Redevelopment Area No. 27.

Also,

No. 3907 Resolution approving the sale of Parcel 172 (1433 Pennsylvania) in the 21st Ward of the City of Pittsburgh by and between URA and James N. Williams for \$335.00—Redevelopment Area No. 27.

Also,

No. 3908 Resolution authorizing the URA of Pittsburgh to acquire that property in the 11th Ward of the City of Pittsburgh owned by Levi Bryant and Mirie Bryant, and designated as Block and Lot 83-A-277 in the Deed Registry Office of Allegheny County under the RLRF, said property having been certified as blighted by the VPRC and the City of Pittsburgh Planning Commission.

Also,

No. 3909 Resolution authorizing the URA of Pittsburgh to acquire all of

the City's right, title and interest, if any, in and to the publicly owned properties in the 11th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 50-D-27, said properties having been certified as blighted by the VRPC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 3910 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Wards of the City of Pittsburgh owned by Samuel S. Steward Company, Inc., and designated as Block and Lot 23-J-89 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified by the VRPC and the Planning Commission of the City of Pittsburgh.

Also,

No. 3911 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 17 by changing from "R1-A" to "R1" certain property located on LeRoi Road and identified as 297 LeRoi Road, 14th Ward.

Also,

No. 3912 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 7 by changing from "R3" Multiple-Family Residence District to "R1" One-Family Residence District all that certain property located on the southerly side of Bigbee Street between Aline Street and Etta Street, 18th Ward.

Also,

No. 3913 Communication from Edward deLuca, Director, Department of City Development, requesting permission to attend Government Loan and Loan Guarantee Programs Seminar, Beaver

Falls, PA, September 18, 1981, at a cost not to exceed \$275.00, payable from Code Account No. 1900-1, Miscellaneous Services, Department of City Development, the Department car will be used for transportation.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 3914 Resolution amending a portion of Resolution No. 384, approved April 22, 1981, amending portions of Resolution No. 1329, approved December 12, 1980, entitled, "Providing for an agreement with various agencies for the implementation of CETA, Title IV, Sub Part A of the Youth Employment Project of 1977", by increasing authorized aggregate amount from \$900,000.00 to \$1,055,800.00, payable from CETA Title III Trust Fund, Federal Funds.

Also,

No. 3915 Resolution temporarily transferring the sum of Four Hundred Thousand Dollars (\$400,000.00) from Code Account No. 58, Municipal Pension Fund-Old, to Code Account No. 55, Policemen's Relief and Pension Fund, subject to reimbursement upon receipt of 1981 Foreign Casualty Insurance Premium Tax Allocation from Commonwealth of Pennsylvania.

Also,

No. 3916 Resolution authorizing the issuance of a warrant in favor of NBI in the amount of \$7,774.80 for rental of office equipment for the City Clerk's Office during the period of January 1, 1981 through August 31, 1981, without previous authority of law, chargeable to and payable from Code Account 1006,



Equipment, Office of the City Clerk.

Which were severally read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 11 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 3917 Communication from John E. McGrady, City Controller, submitting the Audit Report of the Policemen's Relief and Pension Fund of the City of Pittsburgh for the period from July 1, 1980 to June 30, 1981.

Which was read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 3918

Report of the Committee on Finance for September 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3731

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Westinghouse Electric Corporation, in the amount of \$3,351.00

in payment for repairs and services to the chiller in the North Side Public Safety Center; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3745

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dan Construction Company in the amount of Ten Thousand Three Hundred Sixty Five (\$10,365.00) Dollars in payment for 'Additional Work' furnished for the benefit of the City in connection with the grading, paving and curbing of Rialto Place; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3746

Resolution entitled, "Resolution transferring the amount of \$1,000.00 from Code Account 1633, Materials, to Code Account 1631, Miscellaneous Services, both accounts within the Painting Division, Department of Public Works."

Which was read.

Also,

Bill No. 3747

Resolution entitled, "Resolution transferring the sum of (\$20,000.00) Twenty Thousand Dollars from Code Account No. 1160-1, Premium Pay, Department of Environmental Services to Code Account No. 1181 - Miscellaneous Services, Supplies and Materials, etc., Department of Environmental Services."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8                      NOES 1  
(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3767

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of M. DePasquale, Inc., 4740 Wallingford Street, Pittsburgh, PA 15213, in the amount of \$19,200.00, in payment for the Installation of a 24" Gate Valve in Josephine Street furnished for the benefit of the City in connection with City Controller's Contract No. 25010 and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods

AYES 8                      NOES none  
(MR. DE PASQUALE ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3768

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of BIF, Box 10018, Church Street Station, New York, N.Y. 10249, in the amount of \$1,760.87 in payment for Chlorinating Equipment furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 3769

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Honeywell, Inc., Residential Division, P.O. Box 360167M, Pittsburgh, PA 15251, in the amount of \$254.09, in payment for Two Chlorine Evaporator Temperature Controls furnished for the benefit of the City and providing for the payment thereof."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the

bills passed finally.

Also,

Bill No. 3779

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Design Space International in the amount of \$29,572.00 in payment for work performed at Pittsburgh Symphony Summer Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

#### **The Chair:**

Is there any discussion on the bill?

#### **Michelle Madoff:**

I voted aye on all bills except Bill No. 3779, and for the record, my only reason for opposing it is that I have volunteered my services to help get foundation money and I think that some group in the City, particularly in light of the cut of taxes they have had last year, perhaps Koppers or Westinghouse or Duquesne Light, well, not Duquesne Light, excuse me, they are a public utility, but Alcoa or somebody would be happy to have a plaque saying they helped with this particular entity and I have reiterated this many times. Since we don't have the Wednesday meetings published, I would like to again, for the record, have it published that I have reviewed the dollars that are contributed by foundations here and in comparison to other cities, it is a joke. And for some reason Louise Brown is adamant about not moving in that direction, I do not understand why, as I said I have offered my services as a person trying to raise money for a very unpopular cause for many years in the environment, I raised

many thousands of dollars, and this is certainly a popular cause.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES 2  
(MICHELLE MADOFF AND MR. GIVENS VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3780

Resolution entitled, "Resolution transferring \$2,000.00 from Parks and Recreation's Code Account 1829, Point State Park, Miscellaneous Services, Supplies, Materials, Repairs and Equipment to Code Account 1828-1, Point State Park, Premium Pay."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8                      NOES 1  
(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3792

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, Suite 419, The Bigelow, Pittsburgh, Pennsylvania 15219, in the amount of \$1,236.00 in payment for transcription done by a stenographic reporter of Trial Boards, without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale

Mr. O'Malley

(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3793

Resolution entitled, "Resolution transferring the total sum of \$90,000 from Code Account No. 1457, Purchase of Uniforms and Equipment, Department of Police, to the following accounts: C.A. 1443-6, In-Grade Pay - \$37,000.00; C.A. 1447, Miscellaneous Services - \$50,000; C.A. 1451, Repairs - \$3,000."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES 1

(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3799

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$5,760.00 in favor of Casciato Brothers, 3301 Hyperion Street, Pittsburgh, PA 15214, in payment for the emergency demolition and removal of 2 - 3 story brick dwellings located at 122-124 Erin Street, Ward 5, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3813

Resolution entitled, "Resolution providing for the issuance of a warrant to Clark Cratty, t/a Cratty Construction Company, c/o William A. Weiler, Esquire, 4762 Liberty Avenue, Pittsburgh, Pennsylvania 15224, in the sum of \$2,000.00, in full settlement of a claim for monies owed on a contract, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3814

Resolution entitled, "Resolution providing for the issuance of a warrant to Fredric Mauro, c/o Arthur Cutruzzula, Esquire, 3303 Grant Building, Pittsburgh, PA 15219 in the amount of \$5,000.00, in full settlement of claim for personal injury, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3815

Resolution entitled, "Resolution transferring Five Hundred Dollars (\$500.00) from Code Account No. 1016, Salaries, Regular Employees, Mayor's Office, to Code Account No. 1016-1, Premium Pav, Mayor's Office."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3855

Resolution entitled, "Resolution transferring the aggregate sum of fifty four thousand dollars (\$54,000.00) from various code accounts to Code Account 1150, Outside Repairs, Department of Supplies."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8 NOES 1  
(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens:**

Mr. President, bill numbers 3746, 3747, 3779, 3780, 3793, 3855, Mr. President, on all those bills that I just read, there is an accumulated amount of

some \$167,000 which has been transferred from one code account to another code account within the City of Pittsburgh, and I have been on record since I have been on this Council of not wanting transfers unless strongly, very strongly justified. This is just the tip of the iceberg, that is on the general budget, when you get to the capital side of the budget, its multi-millions of dollars that have been transferred and we sit here in Council and approve these transactions week after week. I can't condone it, therefore I vote no on those bills I have indicated.

**Mr. Robinson:**

I echo Mr. Givens' comments on the bills that he made specific reference to.

**Michelle Madoff:**

Mr. President, question. On the issue that Councilman Givens has raised and was supported by Councilman Robinson, and I think by most members of this Council, I think Mr. Stone has probably been the strongest proponent of trying to keep the budget in line. I think the question is not so much what has happened in the past, because you've got to pay your bills, and if we've incurred them and we have to make transfers, so be it, but the question really is, what are we going to do next year and every year, and I've only been here three years, but every year before the budget I have asked the same question. What justification are we going to have from department heads and what kind of back up are they going to give us.

The issue that come up at the Wednesday meeting, when I asked Mr. Perry to send a note out to all the directors to clarify supplies, materials and miscellaneous in the next year's budget, that is part of the problem. A

greater part of the problem is, it will be addressed when we go to line item — personnell, justification of jobs, etcetera, and I have a letter going out to all of the department heads which I will very happily share with members of Council and I do not feel that I have any proprietary feelings about it, if anybody thinks I am wrong and wants to amend it or change it or add to it; my only concern is what the Mayor promised me. He promised that in the coming year, instead of having that misnomer of the Mayor's meeting on Monday morning, where he doesn't attend usually, that we will indeed have a meeting between the members of Council and the Mayor's people, including the Mayor, to discuss, in a very relaxed atmosphere, what we ought to be doing and what the problems will be in the coming year. I haven't seen that yet, and I think that is where we have to start addressing the problems of the budget, not just before budget time, not when we go into elections, but real early in the year, six months ahead of time. Or, perhaps almost the minute the budget is passed, we should start thinking, what are the problems going to be next year.

No one knows better than you do Mr. President, that the faucet has been turned off in Washington. What are we going to do to be innovative to generate some revenue here. There is only going to be \$4-1/2 Million in actual taxes generated by Renaissance II, that's all, \$4-1/2 Million. Look what we lost, \$10 Million that we put aside, or we have a bond issue just to pay off the cut in property taxes, and we don't know what next year is going to bring. There may be some ripple effect in jobs, but the people I talked to in the Greater Pittsburgh Real Estate Association, they and others tell me that we are going to see a tremendous vacancy in the older buildings. People are going to move into the new buildings, the industries, because

they are businesses, its a write-off, it is only a business expense, its a tax exemption kind of thing, and we are going to see, instead of 98% vacancies, which is the reason we are really developing Renaissance II, we are going to see some real reversals and subsequently there isn't going to be that much revenue generated, not with the tax break that people received, and the cutback in taxes, particularly in the commercial and industrial end.

Now, what are we as legislators going to do? Are we just going to sit here and be rubber stamps and say, "Okay, you want six people in your department? Fine. Why didn't you hire them? Oh, you're going to hire them? That's fine." What are we going to do? And I don't think we can wait until budget hearings to discuss that.

**Mr. Givens:**

Well, I think Mr. President, you have been on record, and many other Councilmen, the East Street Valley is one great example, this Council has been on record to do something with all that beautiful real estate. We are losing millions of dollars a year just on real estate alone in that valley, and we've lost multi-millions of dollars over the last couple years, and you Mr. President, have been very good.

Michelle, on your proposal, it is very nice, but I can see, we have a line item budget and if you say put all miscellaneous on a line item, I can see a budget being about five times larger than what it is right now.

**Michelle Madoff:**

I didn't say that.

**Mr. Givens:**

You didn't say that?

**Michelle Madoff:**

No, I said clarify.

**Mr. Givens:**

Clarify.

**Michelle Madoff:**

Tell us what you want, don't say general — we just need it for supplies, without being specific.

**Mr. Givens:**

In other words put a laundry list of what you want —

**Michelle Madoff:**

You just can't say, "I want a slush fund", or whatever, some money set aside, "We think we are going to need for materials, we think we are going to need for supplies, and certainly give us a bundle for miscellaneous". The miscellaneous is the one that really gets to me.

**Mr. Givens:**

Well, historically, then can pretty much tell each year, after year.

**Michelle Madoff:**

They don't know now.

**Mr. Givens:**

The only thing that irritates me is when you come down on September 21st and they have \$167,000 transfer. Someone is not putting the proper inputs into that budget the year before.

**Michelle Madoff:**



Well that's my point Councilman Givens. If the director by this time, having been there a number of years and having gone through several budgets, and knowing what's coming down the pike, doesn't know, who should know? Fiscal Officer Ken Fields.

**The Chair:**

Well, you mentioned East Street, the tragedy of East Street is as Marty Kraus put it, they should have cut bait or went fishing for the last seven or eight years. Nobody, really, was ever opposed to that highway, it was the way they went about acquiring it. Once the land was condemned and demolished, there was no choice but to build a highway, then they ran out of money, and everytime someone suggested them restoring the area and putting homes and businesses in there it was considered as being ridiculous, but they have done absolutely nothing to save it, the taxes have been lost, and I doubt if they are ever going to build the highway. Southwestern Pennsylvania notwithstanding.

**Mr. Givens:**

I might also make one comment on Michelle's \$4-1/2 Million worth of revenues being generated. If you can take a Renaissance and what it truly means to any city, its just not the skyscrapers that are going up in downtown Pittsburgh, I mean its the total City of Pittsburgh and there are many, many millions of dollars being pumped into the city to help the neighborhoods, to help the homeowners, to help people do the things that they need to do and relocate businesses within the City of Pittsburgh. So, when you total that all up, I would assure that it wouldn't be \$4-1/2 Million on the plus side, if you look at any factor, what are we losing? What are we losing? And

then try to make a plus factor on that so we don't lose any of our basic revenues. Real estate has traditionally gone up over the years.

**The Chair:**

Well I would agree with Michelle Madoff, we've got to do something, because with tax abatement its going to be quite a while before we get any money from those buildings in town, and how we are going to make up the difference is beyond me.

**Michelle Madoff:**

Mr. President, if I may, I believe you instructed, at my request, Mike Perry, to have a Post Agenda where Ken Fields and the people from the Mayor's Office, perhaps Dave Matter or whoever, to come and tell us how they anticipate meeting this year's budget, because my information is that we are very late pay now on almost everything, and we are cutting back on services drastically because there just isn't the money to pay until that bond money comes in. And that is a fact. I think we ought to know what we are going to be confronted with next year, and I would hope, and I assume that Mr. Stone is addressing this problem, but I am only requesting that we do it earlier than we normally do it.

**Mr. Givens presented**

Bill No. 3919

Report of the Committee on Public Works for September 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3748

Resolution entitled, "Resolution repealing Resolution No. 863, approved August 24, 1981, effective August 31, 1981, entitled, 'Providing for a Contract or Contracts for repairs to Scott Way Sewer, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof.'"

Which was read.

Also,

Bill No. 3749

Resolution entitled, "Resolution pursuant to the Pittsburgh Code, Title Five, Traffic, Article I, Administration, Chapter 501, Definitions and Chapter 503, Enforcement and Control, by prohibiting the operation of certain vehicles except on a designated Truck Route, as defined."

Which was read.

Also,

Bill No. 3750

Resolution entitled, "Resolution amending Resolutin No. 1050, approved October 20, 1980, effective October 23, 1980, entitled, 'Providing for an Agreement or Agreements for Engineering Services in connection with the inspection of the Robert McAfee Bridge (PW 80-43),' by authorizing a Supplemental Agreement for Engineering Services, and by increasing the project allocation from Thirty Thousand (\$30,000.00) Dollars to Thirty Six Thousand (\$36,000.00) Dollars."

Which was read.

Also,

Bill No. 3751

Resolution entitled, "Resolution further amending Resolution No. 1589, approved December 29, 1978, effective January 1, 1979, as amended by Resolution No. 622, approved July 6, 1979, effective July 10, 1979, as amended by Resolution No. 916, approved October 12, 1979, effective October 16, 1979, as amended by Resolution No. 712, approved August 1, 1980, effective August 8, 1980, entitled, 'Resolution adopting the 1979 Capital Budget; allocating and setting aside amounts in connection therewith, creating Capital Funds, transferring Bond Funds to said Capital Funds,' by creating a new line item and redefining the funding sources."

Which was read.

Also,

Bill No. 3752

Resolution entitled, "Resolution further amending Resolutin No. 1490, approved December 29, 1980, effective January 1, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, as amended by Resolution No. 539, approved June 1, 1981, effective June 10, 1981, as amended by Resolution No. 685, approved July 17, 1981, effective July 23, 1981, as amended by Resolution No. 755, approved July 29, 1981, effective August 10, 1981, as amended by Resolution No. 886, approved August 24, 1981, effective August 31, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program,' by redefining the funding sources."

Which was read.

Also,

Bill No. 3753

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Commonwealth of Pennsylvania for the Commonwealth's Right of Entry onto certain City property to make subsurface investigations in connection with the Vane Street Mine Drainage Facilities Project No. OSM2 (040-80) 101.5, Thirty First Ward."

Which was read.

Also,

Bill No. 3754

Resolution entitled, "Resolution providing for an Agreement or Agreements with Trans-Eastern Inspection, Inc., for Professional Engineering Services in connection with the steel inspection of the Franum Street Bridge; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3755

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property along Denise Street in the Twenty-ninth (29th) Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3756

Resolution entitled, "Resolution vacating Hawkins Street from Norwood Street to Leland Street in the 26th Ward of the

City of Pittsburgh."

Which was read.

Also,

Bill No. 3757

Resolution entitled, "Resolution vacating Honduras Street from Divinity Street to Perrysville Avenue in the 25th Ward of the City of Pittsburgh. Excepting and reserving an easement for the 18" sewerline located therein."

Which was read.

### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### **Mr. Robinson presented**

Bill No. 3920

Report of the Committee on Planning, Housing & Development for September 16, 1981 transmitting sundry resolutions

to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3801

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)(12) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for authority to John F. Casey Company to engage in major filling operations on 9.5 acres of land of the Navarro Corporation located in the vicinity of and having frontage on Nelson Street; Oldsmar Street; DeSilver Street and Clifford Street, 12th Ward."

Which was read.

Also,

Bill No. 3802

Resolution entitled, "Resolution providing for an Agreement or Agreements with Pitt Studios for professional graphic arts technical assistance in connection with the development and production of publications and materials as these are germane to the promotional/marketing strategy for economic development; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3803

Resolution entitled, "Resolution authorizing the City Controller to create a special Trust Fund to be designated City Development Fees Trust Fund into which account is to be deposited such

fees generated by operation of the Department of City Development, and providing for the use of monies from said Trust Fund to further the economic development of Pittsburgh."

Which was read.

Also,

Bill No. 3804

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Garfield Community Organization, Inc., and the Stanton Heights Civic Association, Inc., for the staffing and operation of an inter-community office in connection with the Stanfield Urban Development Action Grant and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3805

Resolution entitled, "Resolution amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program,' by deleting a project line item and substituting a new project line item."

Which was read.

Also,

Bill No. 3806

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1203 Palo Alto Street, block and Lot 23-K-99, in the Mexican War Streets Historic

District in the 22nd Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 3921

Report of the Committee on Water for September 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3770

Resolution entitled, "Resolution providing for a contract or contracts for the Cleaning and Cement Lining of the 20" Line to the Saline Pumping Station; and providing for the payment of the

cost thereof."

Which was read.

Also,

Bill No. 3771

Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with Wall and Arch Repair at the Filtration Plant and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3772

Resolution entitled, "Resolution providing for a contract or contracts for Repair Wall and Arch Repair at the Filtration Plant; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3773

Resolution entitled, "Resolution providing for a contract or contracts for the Installation of a 16" Line in Boundary Street between Saline Street and Henry Street, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3774

Resolution entitled, "Resolution providing for an agreement or

agreements with a consultant or consultants for professional engineering services in connection with the installation of a liner in Highland Reservoir No. 1 and other work incidental thereto and providing for the cost thereof."

Which was read.

Also,

Bill No. 3775

Resolution entitled, "Resolution providing for a contract or contracts for the Cleaning and Cement Lining of portions of the 50" main between Highland Park Reservoir and the Mission Street Pumping Station, and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 3922

Report of the Committee on Parks and Recreation for September 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3781

Resolution entitled, "Resolution repealing Resolution No. 463, approved May 4, 1981, effective May 13, 1981, entitled "Providing for an Agreement or Agreements with various Contractors for visual and performing Art Services in connection with the 1981 Recreation Program and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3782

Resolution entitled, "Resolution providing for an agreement or agreements with various independent contractors to provide instruction in connection with the 1981 Pre-School Program of the Department of Parks and Recreation; and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3783

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Pittsburgh Center

for the Arts (the 'Center') for the payment of the sum of \$8,500.00, to match the grant of \$8,500.00 awarded Center by the National Endowment for the Arts for the purpose of conducting a design competition."

Which was read.

Also,

Bill No. 3784

Resolution entitled, "Resolution providing for a supplemental lease Agreement or Agreements with the Pittsburgh Civic Garden Center."

Which was read.

Also,

Bill No. 3785

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for lighting at various locations, including Schenley Oval and Brookline Memorial Park; and providing for the payment of the cost thereof."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. Stone  
Mr. Woods  
Mr. DePasquale

Mr. O'Malley

(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **Mr. Givens for Mr. Flaherty presented**

Bill No. 3923

Report of the Committee on Lands and Buildings for September 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3732

Resolution entitled, "Resolution granting unto Frederick A. Niepp, Jr., and Sherry L. Niepp, his wife, of the City of Pittsburgh, an easement for a driveway for ingress and egress to their single-family dwelling across property owned by the City of Pittsburgh."

Which was read.

Also,

Bill No. 3733

Resolution entitled, "Resolution providing for the conveyance of certain property in the 26th Ward, City of Pittsburgh, designated Block and Lot 47-K-300 to Allegheny Housing Rehabilitation Corporation for the sum of \$2,000.00."

Which was read.

Also,

Bill No. 3734

Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole, together with crossarms, cables and wires and other necessary appurtenances on City property fronting on Nelson Run Road, 26th Ward."

Which was read.

Also,

Bill No. 3735

Resolution entitled, "Resolution amending Resolution No. 1430 of 1980, the 1981 Capital Budget by transferring the appropriation amount of \$100,000.00 from Project LB81-02 (4-25-01-1960-81), Engine #9, Lawrenceville, Department of Lands and Buildings, to LB81-01 (4-25-01-1954-81), Engine #10, West End, Department of Lands and Buildings."

Which was read.

Also,

Bill No. 3736

Resolution repealing Item (C) of Resolution No. 128, approved 3/7/80, for the sale of a 2-1/2 story brick house on 126 Erin Street (5th Ward), to Jesse T. & Clara Lue Boyd, his wife for the sum of \$2,000.00. This Resolution is to repeal the sale and return the hand money to the purchasers.

Which was read.

Also,

Bill No. 3737

Resolution amending and correcting information on Resolutions 704, approved 7/23/81 and item (C) of Resolution No.

455, approved 5/8/81, for the sale of lot in the 15th Ward on Forrester Street designated as B & L 55-A-265 to Michael & Lawrence DiNardo. Amendment is to correct the description of the lot.

Which was read.

Also,

Bill No. 3738

Resolution amending Item (O) of Resolution No. 867, approved 8/20/80, for the sale of 2 - 2 story brick houses on 120-124 Erin Street, in the 5th Ward, designated as B & L 10-J-56 & 57, to Reynold Lester, for the sum of \$2,000.00. Amendment is to delete houses from sale and reduce the price to \$1,000.00.

Which was read.

Also,

Bill No. 3739

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 3740

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.



## The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES ■ NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. Woods presented**

No. 3925 WHEREAS, "Javor", the Croation National Singing Society founded in 1905, is one of the Pittsburgh's oldest ethnic organizations; and

WHEREAS, Javor's long history of preserving Croation culture stands as an example for its members and all people of Pittsburgh; and

WHEREAS, on September 25, 1981, Javor is celebrating its 76th anniversary on the North Side by burning the mortgage on the renovated Croation National Hall.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor

and the Council of the City of Pittsburgh extend their congratulations and best wishes for the continued success of Javor.

Which was read.

**Mr. Woods** moved for approval.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Mr. Stone** moved to approve the minutes of Tuesday, September 8, 1981 and Monday, September 14, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, SEPTEMBER 28, 1981

No. 3

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** ..... City Clerk  
**WILLIAM F. McCRAE**...Asst City Clerk

Pittsburgh, PA  
Monday, September 28, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Givens presented

No. 3926 Resolution providing for the issuance of a warrant in favor of J-Jac Construction Co., in the amount of \$32,614.70, in payment for "Extra Work"

furnished for the benefit of the City in connection with the repaving and widening of Fifth Avenue from Craft Avenue to S. Bouquet Street; and providing for the payment thereof.

Also,

No. 3927 Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of \$6,360.54 for the installation of electrical equipment in the Heth's Run Area, furnished without previous authority of law, chargeable to and payable from Bond Fund 4-01-30-0001-80 (PW 80-32), Miscellaneous Repairs, Streets & Structures.

Also,

No. 3928 Resolution providing for the issuance of a warrant in favor of Jim McKain, Truck and Car Leasing, in the amount of \$1,712.68 for the rental of a van for Bridge Division personnel, furnished without previous authority of law, chargeable to and payable from Bond Fund 4-01-35-0001-80 (PW 80-36).

Also,

No. 3929 Resolution transferring the amount of \$1,000.00 from Code Account 1534, Equipment, to Code Account 1530, Miscellaneous Services. both accounts within the Bureau of Engineering, Department of Public Works.

Which were severally read and referred to the Committee on Finance.  
Also,

No. 3930 Resolution further amending Resolution No. 596, approved 6/27/79, effective 7-2-79, as amended, entitled, "Providing for an Agreement/s with the Commonwealth of PA, Department of Transportation for design, right-of-way acquisition and construction reimbursement to the Commonwealth in connection with the Noblestown Road slide correction (PW 79-03), and providing for the payment of the cost thereof," by increasing the project allocation by \$13,337.50.

Also,

No. 3931 Resolution providing for an Agreement/s with a Consultant/s for Professional Engineering Services in connection with the investigation of the Bridge Inspection Truck (HS 701) accident; and providing for the payment of the cost thereof not to exceed \$25,000.00, funds available in Code Account PW 81-16.

Also,

No. 3932 Resolution providing for the taking of property in the 8th Ward, City of Pittsburgh, owned by Louis J. Impavido and Eleanor Impavido, his wife, for the reconstruction of the Bloomfield Bridge and approaches and authorizing payment of Just Compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 3933 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Messrs. Tarasi, Siess, Fischer, Kline and McGee, to attend Geotechnical Aspects of Foundation Construction Specifications Seminar, Carnegie Mellon University, Pittsburgh, PA October 19, 1981, at a cost not to exceed \$120.00, payable from Code Account No. 1502,

Miscellaneous Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3934 Resolution providing for the issuance of a warrant in favor of James C. Eastley, 801 Vinial Street, Pittsburgh, PA 15212, in the amount of \$987.44 chargeable to and payable from Code Account No. 1701, Miscellaneous Services, for the installation of an Air Conditioning Unit at the Department of Water's Meter Shop.

Also,

No. 3935 Resolution transferring \$22,000.00 from Code Account No. 1798, Accounts Payable from Prior Years - Water Department, to Code Account No. 1708, Departmental Service Charges.

Which were read and referred to the Committee on Finance.

#### **Mrs. Masloff presented**

No. 3936 Resolution authorizing the issuance of a warrant in favor of IKM-SGE in the amount of \$858.25 in payment for work performed at South Side Skating Rink, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof.

Also,

No. 3937 Resolution authorizing the issuance of a warrant in favor of Tedco, Inc., in the amount of \$13,611.00 in payment for work performed at Brookline Park and Pool, furnished for the benefit of the City without previous

authority of law; and providing for the payment thereof.

Also,

No. 3938 Resolution authorizing the issuance of a warrant in of Tomko Plumbing, Inc., in the amount of \$500.73 in payment for work performed at Broadhead-Fording Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3939 Resolution transferring (within the Capital Budget) the sum of \$9,257.95 to Project Code 4-10-15-1760-73 (BF 227-305) Professional Architects/Engineers - Various Locations from Project Code 4-10-07-1430-61 (BF 197-30) Architectural Services - Allegheny Ballfield.

Also,

No. 3940 Resolution providing for an Agreement/s with a professional dance instructor/s for services provided within the City of Pittsburgh, Department of Parks and Recreation's 1981 Preschool Program for the payment of the costs thereof, payments shall not exceed \$2,100.00 and shall be chargeable to and payable from Special Parks Program Trust Fund (S.P.P.T.F.)

Also,

No. 3941 Resolution amending Resolution No. 1058 of 1980 entitled, "Providing for an Agreement/s for architectural, engineering or other professional services in connection with various facilities including Schenley Park Skating Rink and Frick Park Nature

Center and providing for the payment of the cost thereof", by increasing the total amount from \$24,484.65 to \$33,742.60.

Also,

No. 3942 Resolution amending Resolution No. 1430 of 1980 as amended by Resolution No. 505 of 1981 and Resolution No. 829 of 1981 by transferring the appropriation amount of \$15,000 from Project PR81-36, 4-10-15-1760-81, Engineering Service Contracts in the DPR and the appropriated amount of \$20,000 from Project PR81-21, 4-10-10-1635 Highland Park Picnic Shelter in DPR to Project PR81-14, 4-10-05-1480-81, Security Lighting & Energy Conservation Replacement in DPR.

Also,

No. 3943 Resolution providing for lease/s and/or License Agreements for use of certain property for Senior Citizen Facilities at an amount not to exceed \$55,000/CA SCPTF.

Also,

No. 3944 Resolution providing for a contract/s or use of existing contracts for construction of Volunteers (Carrick) Ballfield and related facilities; and providing for the payment of the cost thereof, not exceeding \$30,000 from Project Code 4-10-10-1595-80 (PR 80-30).

Also,

No. 3945 Resolution providing for a contract/s or the use of existing contracts for the construction of Hays Playground and providing for the payment of the cost thereof not to exceed \$30,000.00; \$14,000.00 from Project Code 4-10-10-1570-78 (PR 78-23) and \$16,000.00 from Project Code 4-10-10-1570-81 (PR 81-19), Hays Play Area.

Also,

No. 3946 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,141.00 for provisions of seven picnic tables for renovated West End Park Shelter.

Also,

No. 3947 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$22,186.00 for extra work in connection with Brookline Park and Pool Construction, Controller's Contract No. 24791.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 3948 Resolution providing for issuance of a Certificate of Appropriateness for work on exterior of 608 N. Taylor Street, Block & Lot J-203, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 3949 Resolution providing for issuance of a Certificate of Appropriateness for work on exterior of 1233 Filson Way, Block & Lot K-78A, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 3950 Resolution providing for issuance of a Certificate of Appropriateness for work on exterior of 1218 Monterey Street, Block & Lot J-

268, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 3951 Resolution providing for issuance of a Certificate of Appropriateness for work on exterior of 1239 Resaca Place, Block & Lot J-246, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 3952 Resolution amendment to the 1981 Community Development Funding Approval Agreement with HUD in connection with Section 108.

Also,

No. 3953 Resolution approving execution of a Contract for the sale of Block 9A, Lots 176, 178, 179, 182, 183, 184, 185, 186, 188, 189, 190, 191, 191A, 192, 192A, 193A, 194, 194A, 209, 212, and 213 in the Twenty-Third Ward of the City of Pittsburgh by and between URA and Alvin J. and Agnes C. Kopcie for \$2.00 per square foot, Redevelopment Area No. 39.

Also,

No. 3954 Resolution approving execution of Contracts by and between URA and various Redevelopers for the sale of properties in the 25th Ward, Residential Land Reserve.

Also,

No. 3955 Resolution authorizing the URA of Pittsburgh to acquire that property in the 32nd Ward of the City of Pittsburgh owned by Associated East Mortgage Company, and designated as Block and Lot numbers: 138-N-9, 23, 1, 8, 40, 56, 70, and 100, 138-J-22, 31, 33, 122, 136, 142, 146, 180, 220, 260, 139-M-

260, 292, 320, 322, 324, 326, 327, 328, 330, 332, 338, 343, 354, 355, 359, 362, 370, 373, 374, 139-S-136, 140, 141, 146, 148, 178, 188, 193, 194, 195, 198, 199, 211, 212, 214, 216, 217, 220, 223, 226, 227, 230, 230, 233, 240, 269, 272, 274, 280, 286, in the Deed Registry Office of Allegheny County for the sum of \$140,000.00.

Also,

No. 3956 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the City owned property in the 12th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 125-A-125, under ILRF.

Also,

No. 3957 Resolution providing for a Cooperation Agreement or Agreements with the URA of Pittsburgh, in connection with the Administration of the Parkway Center Shopping Mall, Urban Development Action Grant Project; and providing for the payment of the cost thereof.

Also,

No. 3958 Resolution authorizing the URA of Pittsburgh to deliver \$20,825.00 in the form of a grant to Horn Brothers, Inc., from the Neighborhood Housing Fund for structural and foundation repair work to be performed at 519 Armandale Street, located on the North Side in the Twenty-Fifth Ward of the City of Pittsburgh.

Also,

No. 3959 Communication from Paul Brophy, Director, Department of Housing, requesting permission for Jack McGoogan, to attend Rehabilitation

Specialists Workshop, Pittsburgh, PA, October 19-23, 1981, at a cost not to exceed \$250.00, payable from Code Account No. 1376, Miscellaneous Services, Travel and Educational Expenses, Department of Housing.

Which were severally read and referred to the Committee on Planning, Housing & Development.

#### **Mr. Stone presented**

No. 3960 Resolution providing for an Agreement/s with Allegheny County Department of Federal Programs for provision of certain services by the City CETA staff, costs to be reimbursed by Allegheny County Department of Federal Programs in an amount not to exceed \$30,000.00 to be deposited into CETA Trust Fund, Federal Funds.

Also,

No. 3961 Resolution further amending Resolution No. 1589 of 1978, as amended by Resolution No. 1121 of 1979, Capital Budget, and Resolution No. 506 of 1981, by providing for an additional Capital and Community Development Accounting Expenses, Department of City Treasurer, increasing the total appropriation from \$375,000.00 to \$380,000.00.

Which were read and referred to the Committee on Finance.

#### **UNFINISHED BUSINESS**

##### **Michelle Madoff:**

Mr. President, under Unfinished Business, a bill was introduced this morning, just now, on transfer of land to URA with the concept that URA then, is negotiating with the developer.

Councilman O'Malley and myself and others have shown great concern about -- that is exactly what we are distressed about. Mr. O'Malley can speak for himself, he had two people in today who have been trying to buy some property for three years and now the property is going elsewhere because URA is negotiating with a specific person.

There isn't anybody of normal intelligence that couldn't go out and buy a piece of property, and within the confines or the guidelines of URA, go out and hire a mystic or anybody else who is a developer, to build for them on property that they own. We object strongly to the fact that these properties are going by virtue of being transferred to URA giving URA the option to then negotiate with whomever they wish and it is not available to the general public.

As you know, we discussed it earlier, we'll get back on it later, we need money in this City, and as Pete Flaherty once did, that one great big sale of City properties raised a lot of money, that would have helped the hedge, or the shortage of this year's Operating Budget. Now we're going right back into it and I'm going to watch that piece of property like a hawk, I'm going to bid on it.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 3962

Report of the Committee on Finance for September 23, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3527

Resolution entitled, "Resolution transferring the amount of Seventy Five Thousand (\$75,000.00) Dollars from Code Account No. 1660, Salaries, Regular Employees, to Code Account No. 1661, Miscellaneous Services, Supplies, Repairs, Materials and Equipment, both accounts within the Bureau of Cable Communications, Department of Public Works."

Which was read.

### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3794

Resolution entitled, "Resolution transferring the sum of \$53,000 from Police Recruit Training (PRT), Special Trust Fund #2, Pittsburgh National Bank, to City-County Integrated Identification System Project (C-CIISP), Special Trust



Fund #2, Pittsburgh National Bank."

Which was read.

**The Chair:**

Is there any discussion on the bill?

**Mr. Givens:**

I am voting no on Bill No. 3794 and I would like my remarks from Wednesday's session incorporated into the minutes.

**Michelle Madoff:**

I do want to support Councilman Givens in that I am very concerned about these late transfers and I would like my comments from Wednesday brought forward into the record.

**MR. GIVENS' AND MICHELLE MADOFF'S REMARKS FROM THE MEETING OF WEDNESDAY, SEPTEMBER 23, 1981:**

**Mr. Stone:**

If you will recall members of Council, earlier in the year this much money was taken from that fund and they need to be reimbursed.

**Mr. Givens:**

Question. Is the money that was taken from there, was it taken from this particular account?

**Mr. Stone:**

Yes.

**Mr. Givens:**

The account of Police Recruit Training?

**Mr. Stone:**

No, we are reimbursing the I.D. System which was reduced earlier in the year. The recipient is being reimbursed with the money that one time gave.

**Mr. Givens:**

Where was the money taken from when it was first taken? Was it taken from the Police Recruit Training?

**Mr. Stone:**

It was taken from the present recipient, the integrated I.D. System Project.

**Mr. Givens:**

But where was it taken -- I mean when it was taken, where was it put into, was it put into Police Recruit Training?

**Mr. Stone:**

No.

**Mr. Buckley:**

No, Emergency Street Telephone.

**Michelle Madoff:**

Its money borrowed, money returned; is that correct?

**Mr. Givens:**

No, not quite. They borrowed it from one account and they are reimbursing another account.

**Mr. Stone:**

Now what is shortchanged is being replenished.

**END - MR. GIVENS' AND MICHELLE MADOFF'S REMARKS ON BILL NO.**

3794, 9/23/81.

**Mr. Robinson:**

On Bill No. 3794 I would like to add some support to the concerns that Mrs. Madoff and Mr. Givens have raised about these transfers. For the last three-and-a-half years I have been raising some of the same concerns and I think their points are well taken.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES 1  
(MR. GIVENS VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,                      }

Bill No. 3914

Resolution entitled, "Resolution amending a portion of Resolution No. 384, approved April 22, 1981 amending portions of Resolution No. 1329, approved December 12, 1980, entitled, 'Providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Demonstration Project Act of 1977

(YETP Youth Employment and Training Program) and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3916

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of NBI in the amount of \$7,774.80 for rental of office equipment for the Office of the City Clerk during the period of January 1, 1981 through August 31, 1981, without previous authority of law, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 4 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

#### Mr. Givens presented

Bill No. 3963

Report of the Committee on Public Works for September 23, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3655

Resolution entitled, "Resolution providing for an Architectural and/or Engineering Agreement or Agreements, in connection with the design for the renovation and construction of the City of Pittsburgh's Cable Television production facilities and offices; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3822

Resolution entitled, "Resolution vacating the eight (8') foot Unnamed Way, sixty (60') feet east and parallel to South Eighteenth Street, between Jane Street and Larkins Way in the 17th Ward of the City of Pittsburgh."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Mr. Robinson presented

Bill No. 3964

Report of the Committee on Planning, Housing & Development for September 23, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3834

Resolution entitled, "Resolution authorizing the City Controller to create a Special Trust Fund to be designated Code Trust Fund into which there shall be deposited money charged for the purchase of all Building, Fire and Mechanical Codes and Pittsburgh Supplements to the Code, and authorizing the Director of the Department of Housing to purchase such Codes."

Which was read.

Also,

Bill No. 3835

Resolution entitled, "Resolution providing for a contract or contracts with Women in Community Development for the purpose of conducting a needs assessment and analysis of housing needs of female-headed households at a cost not to exceed \$4,000.00 (Four Thousand Dollars) and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3836

Resolution entitled, "Resolution providing for a contract or contracts with Women's Center and Shelter of Pittsburgh for the purpose of purchasing a structure at a cost not to exceed \$125,000.00 (One Hundred Twenty-Five Thousand Dollars) and providing for the payment of the cost thereof."

Which was read.

**Mr. Robinson:**

I would like to have my comments

on Bill No. 3836 brought forward from Wednesday's meeting.

**Mr. Stone:**

I would also like my comments on on Bill No. 3836 brought forward.

**MR. ROBINSON'S AND MR. STONE'S COMMENTS ON BILL NO. 3836 FROM THE MEETING OF WEDNESDAY, SEPTEMBER 23, 1981:**

**Mr. Robinson:**

If I might, I was just going to indicate that there is some additional legislation that will probably be coming before Council relative to some zoning matters and some other issues. Council should be aware that our vote on this \$125,000 in no way affects our vote on other matters that might come before this Council relative to zoning other issues. But this will fill our commitment to assist where we can in making sure that there is an adequate women's shelter in the City of Pittsburgh and I think we are meeting that obligation by committing \$125,000 in Community Development Funds.

The other issues when they come before this Council, I think should be considered in light of our zoning laws and other matters.

**Mr. Stone:**

Let me just add to that, just slightly, and then Mr. Givens has the floor. I have discussed this thing with Mr. Robinson. Relative to this matter there are some zoning things that need taken care of. As well, there's a Conditional Use which will be coming up and he has stated it very accurately and that is by giving any approvals here, this would not be freezing in any decision that has to be made on the Conditional

Use. But what is important here is, the attempt to raise funds which are over and above the monies that are necessary from the City of Pittsburgh, is the need of this particular vehicle. Its a little unique, but there is a desire to try and help and that's why its being done this way but I'm trying to tell everybody in advance what's involved.

Let me try again, relative to this, this is a device to help them with their financing to get monies over and above public monies. In that sense, it is essential to them at this time, although ordinarily we'd do it slightly different but this is designed to help them.

Now, on the matter of the Conditional Use which Mr. Robinson and I have both indicated, that will have to come to this body. No. 1., where the site is; No. 2, whether or not its impacting the particular area and No. 3., if there is any opposition at that time. And that would be an independent thought at that time as to whether or not it should or should not pass at that point. But it is essential at this point to make this function that they need this to carry out the financial fund-raising goals.

**END - MR. ROBINSON'S AND MR. STONE'S COMMENTS ON BILL NO. 3830, 9/23/81.**

Also,

Bill No. 3837

Resolution entitled, "Resolution amending Resolution No. 437, approved May 1, 1981, which amends Resolution No. 174, approved February 20, 1981, entitled, 'Providing for an Agreement or Agreements with the County of Allegheny for the provision of the local matching share funds required in connection with the Economic Development Administration Revolving

Loan Fund administered by Pittsburgh - Countywide Corporation; further providing for legal, account and other expenses which may result from loan defaults in connection with the said Revolving Loan Fund; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3838

Resolution entitled, "Resolution amending Resolution No. 199, approved February 26, 1981, entitled 'Amending Resolution No. 38, approved January 16, 1981, entitled, 'A Resolution amending Resolution 527, approved June 2, 1980, entitled, 'A Resolution amending Resolution 370, approved April 25, 1980, entitled, 'A Resolution amending Resolution 1005, approved November 7, 1979, entitled, 'A Resolution providing for an Agreement or Agreements with Greater Pittsburgh Business Development Corporation for services in connection with the Small and Minority Business Revolving Fund Program for an amount not to exceed \$150,000.' by increasing the amount of the agreement and providing for the cost thereof.' by increasing the amount of the agreement and providing for the cost thereof' by decreasing the amount of the agreement and providing for the cost thereof.' by increasing the amount of the agreement and providing for the cost thereof."

Which was read.

Also,

Bill No. 3839

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of

Pittsburgh and Ablebuilt Homes, Inc., for the sale of Block 15G, Lots 245 and 248, Block 15H, Lots 125, 129, 174, 175, 201, 247 and 250, and Block 15L, Lot 264, in the Eighteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3840

Resolution entitled, "Resolution approving an Agreement by and between Urban Redevelopment Authority of Pittsburgh and Ablebuilt Homes, Inc., in which Urban Redevelopment Authority of Pittsburgh will provide financial Assistance to the purchasers of Houses to be constructed in the Eighteenth Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 3841

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Horn Brothers, Inc., for the sale of Block 23E, Lots 135, 253, and 262B, and Block 23K, Lots 24 and 27, in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3842

Resolution entitled, "Resolution approving Execution of a Contract for Disposition of Land by and between the

Urban Redevelopment Authority of Pittsburgh and Edith M. Simonds for the sale of Parcel 181 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3843

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Albert and Bernice Goshay for the sale of Parcel 219 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3844

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Keith L. and Brenda L. Giles for the sale of Parcel 233 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3845

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ernest L. Fullerton, Jr., and Christine Fullerton for the sale of

Block 23K, Lot 97A, in the Twenty-Second Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3846

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Thomas W. Armstrong and Marjorie S. Armstrong for the sale of Block 23K, Lots 211 and 213 in the Twenty-Second Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3847

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Alex Pilin and Diana Pilin for the sale of Block 70J, Lots 8, 9, and part of 30 in the Twenty-Eighth Ward of the City of Pittsburgh in Redevelopment Area No. 24."

Which was read.

Also,

Bill No. 3848

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned property in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot: 16-N-159, said property having been

certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3849

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by David C. & Agnes M. Greene and designated as Block and Lot 22-R-121 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3850

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 22nd Ward of the City of Pittsburgh owned by Delvor Carlisle and Gloria Carlisle, his wife and designated as Block and Lot 23-K-97A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

**Michelle Madoff:**

I vote aye on all bills, but particularly on the last three bills, 3848, 3849 and 3850, the ones that URA is proposing to acquire to further develop. I want to know how everybody has the same option so that they don't have those properties to negotiate them. I'd be happy to buy them, probably. I'm sure a lot of other people in the public would be happy to buy them. I'm voting aye on all bills, but I just wanted to be sure that on those three bills, I would like to speak to Mr. George about them and I will personally contact him, I won't even ask the clerk to do it.

Also,

Bill No. 3851

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the publicly owned property in the 11th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 50-D-27, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone

Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Michelle Madoff presented

Bill No. 3965

Report of the Committee on Water for September 23, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3484

Resolution entitled, "Resolution repealing Resolution No. 741, approved August 15, 1979, effective August 20, 1979, entitled, 'Providing for the letting of a contract or contracts for the furnishing and delivery of automotive equipment, less trade-ins, for the Department of Water and for the payment thereof.'"

Which was read.

Also,

Bill No. 3824

Resolution entitled, "Resolution amending Resolution No. 1293, approved December 8, 1980, entitled, 'Resolution providing for a contract or contracts for water line work in conjunction with the Department of Public Works, involved with the widening and improvement of intersections on the North Side at



Reedsdale Street and Ridge Avenue, Chateau Street and Ridge Avenue, Fulton Street and Western Avenue, and providing for the payment' by changing the encoding number."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 3966

Report of the Committee on Parks & Recreation for September 23, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3827

Resolution entitled, "Resolution further amending Resolution No. 1229, approved

December 29, 1979, effective January 1, 1980, as amended by Resolution No. 66, effective February 22, 1980, as amended by Resolution No. 114, effective February 28, 1980, as amended by Resolution No. 854, effective August 25, 1980, as amended by Resolution No. 969 effective September 29, 1980, as amended by Resolution No. 1068, effective October 23, 1980, as amended by Resolution No. 1069, effective October 23, 1980, as amended by Resolution No. 1107, effective October 28, 1980, as amended by Resolution No. 756, effective August 10, 1981, and as further amended, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program' by providing for an additional appropriation of \$76,826 for Project Code 4-10-05-1329-80 (PR80-05), Northgate, Design and Construct New Pool, in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3828

Resolution entitled, "Resolution amending Resolution No. 76, approved January 30, 1981, effective February 9, 1981, entitled, 'Providing for the letting of a contract or contracts in connection with the purchase and delivery of pumps for swimming pools at various locations in the Department of Parks and Recreation and providing for the payment of the cost thereof', by increasing the amount provided from \$10,000.00 to \$11,165.97."

Which was read.

Also,

Bill No. 3829

Resolution entitled, "Resolution amending Resolution No. 504, effective May 29, 1981, entitled, 'Providing for the letting of a contract or contracts for the construction of the restroom building at Quarry Field; and providing for the payment of the cost thereof', by increasing the amount provided from \$70,000.00 to \$70,176.00."

Which was read.

Also,

Bill No. 3830

Resolution entitled, "Resolution amending Resolution No. 750, approved July 29, 1981, effective August 10, 1981 entitled, 'Providing for the letting of a contract or contracts or the use of existing contracts for the construction of Northgate Swimming Pool & Bathhouse; and providing for the payment of the cost thereof', by increasing the amount provided from \$550,000.00 to \$626,826.00."

Which was read.

**Michelle Madoff:**

Mr. President, on Bill No. 3831, I had requested information on that sewer and at that time we had nobody from Public Works. It is my understanding that this is an additional charge, an increase, it is not a new sewer line, because there were several sewers that we did allocate dollars for and I just wanted information. I don't want to hold up payment because we have to pay our bills, but I would request that the clerk, on Bill No. 3831, ask Public Works whether this was an addition to the existing sewer where they had garbage and everything and it caved in, or whether it is the sewer that we paid for that was leeching over the hillside into the valley. I want to know whether it is

a completely different sewer or an addition to the two existing sewers that were being repaired.

Also,

Bill No. 3831

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for pool sewer repair work in Schenley Park; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 3967

Report of the Committee on Public Safety for September 23, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3795

Resolution entitled, "Resolution amending Resolution No. 1151, approved November 10, 1980, effective November 14, 1980, entitled, 'A Resolution providing for a contract or contracts for the design and construction of an addition to the Pittsburgh Police Academy and the construction of a new Canine Training facility, located at Washington Boulevard at Negley Run Road; and providing for the payment thereof."

Which was read.

**Mr. Stone:**

On Bill No. 3795, I have no objections to what is intended here but I think the funding source is incorrect. In view of that, I'd like the Chairman of that Committee, if he doesn't have any objections, to refer it back to the Finance Committee.

**Mr. O'Malley:**

No objections.

**Mr. Stone:**

I think that is a Capital Improvement Project and it ought to come out of Capital Funds, particularly when it appears that we are a little tight on money here.

**Michelle Madoff:**

What is it for Mr. Stone? What is the money being used for?

**Mr. Stone:**

Canine Training Facility at Washington Boulevard.

**Michelle Madoff:**

Good point.

**Mr. Robinson:**

I have a comment. I don't know if it is appropriate to raise it now because it does not specifically relate to Mr. Stone's concern about changing the funding source, it relates to the purpose for which the money is going to be used.

**Mr. Stone** moved to recommit Bill No. 3795.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

Also,

Bill No. 3883

Resolution entitled, "Resolution providing for an Agreement or Agreements with the University Health Center of Pittsburgh/Center for Emergency Medicine for medical operations direction in connection with the Department of Emergency Medical Services, at a cost not to exceed \$25,000.00, chargeable to and payable from Code Account No. 1421, EMS Miscellaneous Services."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Aves:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 3968

Report of the Committee on Lands & Buildings for September 23, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3821

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**Michelle Madoff:**

Mr. President, tomorrow being the High Holiday of the Jewish New Year, Mr. Rege Valaw has scheduled an auction on some properties. For those who may not know, perhaps Mr. Woods who is new, if anybody locates a piece of property and puts a bid down on that property and that property is, \$200 or \$300 or \$400, or

\$2,000 and nobody else finds out about it, that person gets the property in a very short time. Only if somebody else finds out about the property and also puts in hand money, and sometimes they don't even need hand money, generally you can go to the court and say I'm interested in bidding, and because the City is interested in acquiring the best dollar for the three taxing bodies, they will allow you to bid. I bid on a piece of property where the asking price was \$2,100, I think they opened at \$2,300, Pivorotto and Woods I believe, bid me to \$5,500 and I bought it for \$6,000 and they had no hand money. I got 12 offers in 10 hours to sell it for \$10,000 sight unseen, in Shadyside. Now we don't have a lot of properties like that but there are some very good properties and tomorrow there is a very good property, there are nine lots on the North Side and you bet your, as Mr. Givens would say, your bippy, I'm going up and I'm going to take a look at those properties today and I'm going to see it I'm going to bid on them. And I'm making that a matter of public record. I would like to know that everybody else in this City has that same opportunity and I think we ought to put Mr. Al D'Alessandro, who is begging for work, pleading with us for something to do, to work, perhaps helping Mr. Flaherty, who is short-staffed in his office, to go out each week and give us a report on those properties. Most of them can't even be found, they are from the books, they don't even know where they are located. The appraisals are 10 years old and you have to be an architect, or somebody in the real estate business to even locate the property. We give them to him early enough, he can locate them, then we can perhaps have a commitment from KOV who will run them on the air free, to let people know where they can take advantage, as anybody else can, of properties, and I remind this body that some years ago, on a one shot deal, a former mayor did a posting of all

properties, the lots, they sent postcards to the owners on both sides, and they raised a lot of money which certainly would have helped the Operating Budget of this year and I believe, cut back on the bond issue and the interest it will generate into the General Fund from that.

I would like a report, Mr. President, if I may request that from the clerk, at a Post Agenda as soon as possible from Mr. Evers. The three things I want covered are: where are the books that this Council voted on over two-and-a-half years ago, the 28th Ward was supposed to come out; how is he marketing them, because every real estate agent will buy them, every developer will buy a copy, which will pay our printing, we are only Xeroxing them; I want to know whether the properties have been posted as they were supposed to be and postcards sent on both sides; and I would like to see that in future, I want to know before we move on any piece of property, it is not adequate enough to get a note, which has been the pro forma, we've done it that because we've always done it that way, a note that comes in to Mr. Flaherty which he passes on to me which says, "We are selling this property because the City has no further use for it and it has been sitting on the books." Well sure we want to sell it for that reason and we don't want to clean it for that reason, we don't want the responsibility. But I think we have to treat everybody who pays taxes and every member of this community equally, and that everybody have a chance at the plums, and some that we may not consider plums, some people consider very prime property, in stable communities, such as, even an alley in the Mexican War Streets, I know of two houses that were dynamite properties that went for \$800. A joint row-house on the South Side that were rehabbed for \$12,000 and sold for \$36,000. There are

properties around, marketed properly, and I'm re-stating what you stated Mr. President, you said, "Why can't you sell the properties? Go do it." But nobody listens to me and they are not even listening to you. I don't know what the answer is but something better happen.

**Mr. Stone:**

What do you mean by posting?

**Michelle Madoff:**

Some years ago, Mayor Flaherty put a sign on the vacant property saying, "This property is for sale", and they raised a lot of money, we had a report here, and they also sent postcards to the people on both sides of the property. I'm not sure, that may have been part of our resolution, but they really had a great big one-shot sale and it was never followed up on again.

**Mr. Stone:**

I think the posting idea makes some sense, just one sign and all it has to say is that the property is available for sale, on a stick, and leave it posted all the time, that's not a bad idea.

**Michelle Madoff:**

We passed this two-and-a-half years ago, almost unanimously, but nobody is doing it.

**The Chair:**

Especially if they had good results in the past, I don't know why they didn't follow it up.

**Mr. Stone:**

Also to tell us who is not cleaning the lot.

**Michelle Madoff:**

True, that's a very good point. Mr. Stone, do you happen to know, or Mr. President, do you happen to know whether one of the reasons we are having a problem is we have not had a permanent Director of Lands and Buildings, and perhaps Mr. Evers is reticent to make permanent decisions since he is not the official Director? Are we going to have a Director? I know that some time has elapsed and I just don't know what is happening. Oh, excuse me, I'm sorry, the election will be over --

**The Chair:**

We're not going to have any until after the election.

**Michelle Madoff:**

Sorry about that.

**The Chair:**

I don't know what the election has to do with it.

**Michelle Madoff:**

I was a little slow today, its been a tough weekend, sorry. Don't even ask that question, we'll ask after the election.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**The Chair:**

I want to take this time to say that I certainly know that my Council colleagues concur in what I am thinking and going to say, wishing all of our Jewish friends a very Happy New Year.

**Michelle Madoff:**

Thank you.

**Michelle Madoff presented**

No. 3969 WHEREAS, the City of Pittsburgh is experiencing a rapid increase in the number of individuals operating radios and tape players at an excessively loud noise level on our streets and buses; and

WHEREAS, a number of citizens have indicated that this increase in noise pollution is causing them undue stress and is a disturbance to their peace; and

WHEREAS, Section 601.04 of the Pittsburgh Code prohibits anyone to "Cast sound on streets, sidewalks or other public property" by means of any sound amplification equipment and further, makes it a public nuisance to do so; and

WHEREAS, it is the duty of

Pittsburgh Police Officers to pay special attention to this increasing problem, and to take the necessary steps to assure effective enforcement of this law.

#### NOW, THEREFORE

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Superintendent of Police to take the necessary steps to assure that Pittsburgh Police Officers enforce more strictly the City's existing nuisance law prohibiting the operation of excessively loud radios and other sound amplification equipment, thus restoring peace to those citizens who are unwillingly subjected to this disturbance.

Which was read.

#### Michelle Madoff:

Mr. President, I advised Council that I would introduce this as a resolution and I pointed out in my conversation with Superintendent Lewis, although there are rules on the books, you know, the wheel that squeaks gets greased, and by just bringing this to the attention, as Mr. Stone said, we already have a rule on the books, but it is obviously not a priority and I think this is important, that this go out to Superintendent Coll with a covering letter from, perhaps the President of Council and certainly from the City Clerk saying it is the contention of Council, and Superintendent Coll was in the audience, that he make this a priority and I would like my comments of Wednesday brought forward, which essentially, in summary, says, the police are qualified to make a judgmental decision on the spot, about a public nuisance. Then you don't have to worry about decibels, you don't have to worry about the bill that Mr. Pellegrini sent down which we couldn't decipher, and my understanding of that bill was that you

just couldn't play them anywhere, which I think is a little unfair because, certainly, if I go to a park, I might want to take a radio and play it softly, but it is the intention of this body that we do something about this disturbance without infringing on anybody's constitutional rights, and I am not softening or backing off of my original premise, Mr. Reporter, I am just saying that I want to be constitutionally correct, I referred it too the Law Department, they reviewed many other bills of other cities and what they came back with was, don't play them anywhere and I think that is stretching it a bit much.

However, I think we should have a report within, I would say, let's make it after the new year, from the Department of Police, would you ask in the letter that we have a report back as to the effectiveness — whether the police are indeed doing anything about this as a nuisance, or saying, "Well, we have rapes and murders, and we have other things, but even though we are walking the beat, we don't tell somebody to turn the radio down."

I had occasion on Saturday to ask a young man in a car, who was blaring his radio on Murray Avenue, if he would please turn it down, it was awfully loud, he subsequently turned it up louder and said, "Have a nice day." and I said, "Same to you." The point I am making, if there was a policeman was there he could have made a judgmental decision as to whether that was a nuisance and say, "Please turn that down." He must have gone by a corner where there was some policeman, and the policemen probably aren't bothering with it because we haven't made it a priority.

I move for approval of the resolution.

Mr. Robinson seconded the motion.

Which motion prevailed.

**MICHELLE MADOFF'S REMARKS ON  
BILL NO. 3825 FROM THE MEETING OF  
WEDNESDAY, SEPTEMBER 23, 1981:**

**Michelle Madoff:**

Before I move on this, I think it is important to point out that the record will reflect, the printed record, that I have always stated that I thought we had to look into the constitutionality. Not the Mavor but Michelle Madoff.

As witnessed by the note from Danny Pellegrini which says, "In accordance with your request", that was my request, "We have looked into the constitutionality and have reviewed other bills of other cities"

Now, as you may recall, my concern was not to punish anyone by fining them, necessarily, but as I stated in a little cover letter that I had sent out, I would be happy if you took the radios hostage for 24 hours, which is a mere inconvenience to someone in the 19th Ward or other areas, then having to go down to the Police Station to pick up the radio, would I think be enough of a deterrent that people would turn down their radios, which is an annoyance to people. We've already seen a lowering of decibel levels in the Downtown area because people are afraid of losing their valuable commodity.

I don't know how to react to this particular bill. In reviewing legislation in other communities, it is obvious that Mr. Pellegrini finds that you shouldn't be able to run them at all, because he is saying what is annoying to one may not be annoying to another and how do you discern decibel level? How does a policeman do it? It is a matter of common sense. When does a policeman

say somebody is fighting with somebody and disturbing the peace? He has to make that judgment. So, I guess its a judgmental value, whether you give a ticket to someone as to whether it is too loud or not, and I don't know whether Pittsburgh wants to go around saying you can't play them at all.

I have another concern. I had a call from an anchorperson on one of the local T.V. stations saying, "Did you hear about the Chicago person that was almost killed because they're using a radio with speakerphones and there's no noise at all. They don't hear traffic, they walked right in front of a car."

I think the concept is very important that do not have the blind, particularly the Golden Triangle blind people whose representatives have called and said, "We have a serious problem. We could sit here and argue that while we are doing all of this construction and that's noisy, but that's not going on forever." Hopefully, this bill will be here forever. People cannot cross the street who are blind and handicapped because they can't differentiate sounds with these blaring radios. They are really annoying to people, especially when the car radios are blaring. Something has to be done and I don't think I'm the only one that has the answer on raising the issue, and I would welcome input from other members of Council and I think on that basis maybe we ought to hold it for two weeks and have other people come up with other suggestions. Do we go with what I would like to see, merely a matter of issuing a citation, since it is unconstitutional to take personal property, and the policeman makes that evaluation based on any evaluation you would make on anything, whether people are assaulting someone or being rowdy or being abusive. The problem of course, is, how do you know the person is really identifying themselves? If they don't



have identification, then I guess there's justification as you would take a car away if someone didn't have a driver's license. Then again, I maintain that if somebody has had a radio picked up once or twice and they say, "I'm just going to play my radio at any level I want and anywhere I want", then you take it away.

**END - MICHELLE MADOFF'S REMARKS  
ON BILL NO. 3825, 9/23/81.**

**The Chair:**

I just want to say, maybe the direct approach is the best, I remember the fellow here in Council, and I won't debate with you on whether smoking is allowed in here or not, but when you told him to put the cigar down, he put it down. I never saw anybody put a cigar down that fast. But, its out that I am opposed to the ordinance, and some say because you proposed it Michelle, and that is so far from the truth. I'm never opposed to any ordinance that is going to benefit the public, I merely said, how do we determine what is loud and what isn't loud and what isn't loud and how do we enforce it.

**Michelle Madoff:**

I agree with you.

**The Chair:**

For instance, over at the Stadium yesterday, Bill will get a kick out of this, he was coming by about the same time, there was a guy standing there, Bill didn't witness this, but now there is a fellow blaring over the loudspeaker, "We're gonna go get them, one for the thumb", and you could hear it all over the North Side, and he said, "What are you going to do about that thing? Are you going to have it shut off or aren't you?" What do you do about something like that?

**Mr. Stone:**

Approve the minutes.

**Michelle Madoff:**

We have two other items Mr. Stone. I don't think our Councilmember's intention is to rudely cut off the meeting when we have two important items.

**The Chair:**

The fellow who was blaring over the microphone was a Serbian, that's why he did that.

**Michelle Madoff:**

That's why Mr. Pellegrini said you can't do that, for politicians running or for anything, but I am not going to get into that, but since you raised the cigar, on page 19 of the Parliamentary Pointers put out by, I don't know who, "Item 2. Raise a Question of Privilege. If anything disturbs a member's privilege, noise, draft, etc.", I consider cigars, etcetera, "he may rise to ask he/she to ask that the disturbance be removed, the Chair should take steps to do so." Thank you for doing so.

Now on to two other items of business, excuse me it is only one, I'm sorry. I had a call and I spoke to Mr. Stone and I spoke to President DePasquale about it, people are contacting me, they don't want me to use their names because they don't want to have problems with getting business from the City in the future. They are now having to go out and borrow money at existing prime rates, at 15% - 17%, to pay their bills because the City is not paying their bills, and of course that is why I got -- I'm digressing, but it all ties -- the hip bone is attached to the thigh bone, that's why I've gone into the one-

shop property bill, we could have raised three million dollars this year.

**The Chair:**

Michelle, as I said earlier, I don't know why this situation continues or exists, and Councilman Stone can well recall, we had a meeting some time ago in regards to the Vendors, period. Remember, when was it? About three or four months ago, and we had assurance then that this problem would no longer exist or would no longer happen, and apparently, it continues, and nobody can give you the answer. Now, if you go down to the Controller's Office, they blame it on Public Works, and if you go down to Public Works, they blame it on the Controller's Office and Eddie (Albert) is well aware of that, I mean they are throwing that football back and forth, and regardless of who's fault it is, these people aren't getting their money on time and you are right, they have had to go out and borrow and they have had to lay people off because they couldn't meet their payroll.

**Michelle Madoff:**

Somebody goes bankrupt or goes out of business, they are going to come back with a lawsuit against us and I don't know the legalities of it, but I just think that earlier, when I got to Council, long before I got here, I understand that when our Mayor was a Councilman, he also raised the issue and I recall Mr. Stone being very concerned about this and he is telling us that Mr. George Whitmer was hired by the Mayor's Office to just be an expediter, and it turned out that George had too many other things to do and was never an expediter. Maybe we could, I don't know, I'll have to have Mr. Stone handle this, but maybe Al D'Alessandro, who is begging for work, could be an expediter.

**Mr. Stone:**

Mr. President, if I may, I have already directed letters to go out to every Director in this City relative to any bills which have not been paid or are being unduly, for any long periods, being held, we'll find out what that is and at that time we'll address it. The City of Pittsburgh can't demand from people that they pay their taxes on time if the City of Pittsburgh is not going to pay its bills on time, and this has kind of an additional problem. If you are always expecting that you are going to get your money late from the City of Pittsburgh, that tends to increase the amounts that are given to us in bids. I think we ought to stop it immediately and it need not go into a long thing, I think we ought to get it straightened out and we will attempt to do that now. I have asked Mr. Albert, relative to the Capital Budget to do it and I have directed our Tax Operating Budget people to do the same thing and that will be expedited.

**Michelle Madoff:**

Thank you Mr. Stone, Mr. Stone, would you have any objections if I get calls in my office, to refer them to you, on people not being paid.

**Mr. Stone:**

You may.

**Michelle Madoff:**

Thank you.

**Mr. Robinson:**

Mr. President and members of Council, I am deeply concerned relative to recent events in the East End section of our City, especially the Lincoln - Larimer Avenue area. These issues address public safety and community development. This Council, on several occasions, has listened to residents of

that area explain their deep interest and commitment to the development of a sound, safe community for themselves and their children. Recently a rash of incidents have left the leaders and citizens of the Lincoln - Larimer Avenue and the Lincoln - Lemington Area, physically intimidated and psychologically frustrated in their attempts to receive adequate and substantive police protection. While the elected magistrate and constable in the 12th Ward do have police powers, their resources are limited and must be augmented by City forces. Crime cannot be tolerated in any of our City wards, and certainly bold and open violations of the law must be stopped.

While the situation I have described is bad enough, both the County of Allegheny and the Commonwealth of Pennsylvania have proposed to renovate buildings in that area into facilities to house convicted felons, an idea that has been totally unacceptable to area residents and an idea which I personally reject. Discussions with community leaders and area residents have convinced me that Pittsburgh City Council should officially oppose any efforts by the County, the Commonwealth or other agencies to place additional institutions in the Lincoln - Larimer - Lemington Area and to assist in the pursuit of substantive job producing community development for that area.

I move that Council forward letters to both the County and the Commonwealth expressing our support of the residents of the East End who oppose the conversion of Marcy State Hospital and oppose other efforts to place additional institutions in that area. I also believe it would be appropriate to forward letters to Senator Leonard Bodack of the 38th District and to Representative William Pendleton of the

24th District.

#### **The Chair:**

Bill, we discussed that at length Friday, do we have the right there, or should they come through the City to re-zone that area to do that, or can the state just put that facility in there without coming to Council for an approval or a zoning change?

#### **Mr. Robinson:**

It would be my understanding that the present zoning in the area would allow for conversion of Marcy State Hospital because the hospital is already in the institutional district, they are simply changing the types of persons who would be serving, but it is still an institutional use.

#### **The Chair:**

What other alternative do we have then, other than resolutions?

#### **Mr. Robinson:**

I think that certainly the concerns of City government, and the City residents will weigh heavily upon the Governor and his staff in making a final decision come 1982. I would hope they would take the same view of the situation as many of the County Commissioners when a similar kind of facility was proposed for the Lawrenceville area, and local officials as well as residents protested.

#### **Mr. Stone:**

Mr. President, at one time the state could move in, I think that has been changed, and put in any facility that they wanted. I thought that when we did our group homes that that was somewhat limited, but I think that the issue that

Mr. Robinson is pointing out is one that is not restricted to that particular area but the City of Pittsburgh itself. Too often we find that these facilities are brought into the City of Pittsburgh with not even the courtesy of letting the local Superintendent of Police know about it, he has to find out by himself and I think that is totally wrong. Before putting those kind of institutions in a heavily densified area, like the City, there ought to be a little more cooperation in that respect and I think what he is asking for is a letter of intent or a letter of understanding of how far and what minimums we are going to set for the people here as far as those kind of facilities and I agree with him.

**The Chair:**

Bob, I was thinking along the lines of highways, I was under the impression that any highway that came through the City of Pittsburgh, or the County of Allegheny for that matter, had to have the approval of the City and the County, they just couldn't put a road in unless the City or the County approved.

**Mr. Stone:**

It is my belief that by legislation, that was changed, but on the parolees it may still be the same, I'm not so sure, it may need some looking into, but I think what he is saying here is we ought to definitely make sure that as far as the City is concerned -- you know some of our older communities are attempting to come back, and you know, under the so-called guise of how they want to do it, you always put it where you are going to get the least resistance they think, or where the majority of the people don't care. Well, I think it is time we care about those communities who other people don't care about but where that community cares enough that they are trying to lift themselves up, and if we're

not going to give them the help nobody else will.

**The Chair:**

Wasn't Marcy a hospital of some sort?

**Mr. Robinson:**

Yes, a state hospital.

**The Chair:**

For the criminally insane?

**Mr. Robinson:**

No, its persons who did have severe mental problems and there is a proposal to close that facility for financial reasons and turn it into a facility to house convicted felons.

**The Chair:**

That's what I'm saying, we're going from one extreme to another, you're talking about sick people, now you're talking about criminals.

**Michelle Madoff:**

Mr. Stone, it is my understanding, I'm not positive, perhaps Mr. Flaherty could answer better but you have been here longest, in this area, if a piece of property is zoned, say, "R4", is there a five? I'm not even sure, which is for commercial, or for anything, if the property is zoned you can put almost anything in, that anybody who owns that property can put in anything? Is that the problem that we are confronted with here?

**Mr. Stone:**

No, not really, I think its two problems. Number one, does it have

proper zoning, insitution, that is what Mr. Robinson is talking about. It seems to me we never contemplated an institution as it was before, to be substituted by parolees from any institution, that seems to me to be something of a different nature.

**Michelle Madoff:**

Well, what I'm saying though, and I think you've answered my question, and Mr. Robinson has, is they now have the right under the existing law, to go in and put something in that the people do not want, and therefore circumvent the will of the people by using the law to their own advantage, and I think that ought to be brought and I would ask that Mr. Robinson, perhaps make an amendment to the BOCA Code, or if you would both -- the BOCA --

**Mr. Stone:**

Code -- leave off the BOCA and you're allright.

**Michelle Madoff:**

I'm sorry, the Code, I keep thinking -- everytime we come here the Mayor says my bill can't pass, you have to wait on his bill because its going to the BOCA Review Code, to the Code, to amend the Code to say that certain types of institutions must come before Council, because as you said Mr. Stone, it isn't just one area, it can happen in any area, and I think we ought to move very quickly, I don't know if we can make it retroactively because I'm concerned Bill. I think you have the consensus of every member on Council, very much in support in what you are saying, but all the support in the world may not accomplish your end, and the thing is, how do you make it happen, and obviously you've got to change law.

**Mr. Stone** moved to approve the minutes of Monday, September 21, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, OCTOBER 5, 1981

No.

## Municipal Record

### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President

**MICHAEL PERRY** .....City Clerk

**WILLIAM F. McCRAY**...Asst City Clerk

Pittsburgh, PA

Monday, October 5, 1981

#### PRESENT:

Mr. Flaherty

Mr. Givens

Michelle Madoff

Mrs. Masloff

Mr. O'Malley

Mr. Robinson

Mr. Stone

Mr. Woods

Mr. DePasquale

(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation. under God, indivisible, with liberty and justice for all.

#### UNFINISHED BUSINESS

**Michelle Madoff:**

Mr. President, on the item introduced on elevators today, which will come up for discussion, I believe, in two weeks; sometime ago, as head of the

Sub-committee on Energy I had requested that we look into timers or an aide, or somebody down in the lobby so that we could time our elevators in such a manner that they don't all go up at once taking six people, one in each elevator or two in each elevator, etcetera, to conserve energy. We've never had a report back on that, and if we are spending another, I think its \$12,000 — I don't remember what the figure was, we certainly ought to be considering it.

Yesterday I went to the Performing Arts National meeting and I was very surprised, in going into the U. S. Steel garage, that they have a single escalator that goes up and down. When you step on the escalator it will cause it to reverse and go up and if you step on it at the top it will cause it to go down, but the interesting part is that it doesn't operate at all unless you step on it. Its like when you want a red light to change at an intersection, the car goes over some kind of timing device. We ought to be looking into some energy conservation programs. Now I know there is supposed to be an energy conservation overview committee, I am head of that Sub-committee, but of course, you know, its like everything else, if nobody tells me I can't be there. I don't have a crystal ball and I don't know how to go about making sure this is happening. Do you have any suggestions? Who would I talk to?

#### The Chair:

In regards to the elevators?

**Michelle Madoff:**

Well, the whole concept of energy conservation. We have one woman here who does some work in that area, supposedly —

**The Chair:**

Who was to make the report on the elevator?

**Michelle Madoff:**

Pardon me?

**The Chair:**

Who was to make that study --

**Michelle Madoff:**

Maybe what we ought to do is have a Post Agenda on energy and list specifically, Mr. Clerk, escalators that would go on and off with a timing device; elevators that would have a timing mechanism so that we wouldn't run them when we don't need them and not have six elevators when you need two and at certain hours when you need more and we have juries and so on, they can be adjusted. Maybe having somebody in the lobby which would save us cleaning bills because it is a pig sty all the time and if you don't look they throw their cigarette butts and wrappers, and it may be cost efficient, and I think it has to be done in conjunction with the County, the County Commissioners because it is a joint venture, the maintaining of the elevators, somebody from the Mayor's Office -- does anybody on this -- Mr. Finance Chairman, who would we ask to come that would be involved in this study on energy? Would it be Gaetano? Nobody knows.

**Mr. Givens:**

Michelle, I think each of us has our own department, I know in the

Department of Public Works, for example, there are one or two projects I am working on. I sit on various committees within the department. One is the master singularization of the downtown-Oakland area.

**Michelle Madoff:**

Well, I'm not talking about that, I'm talking about our building. That is another and separate and apart - energy is a very vast area. I'm talking about this building that we work in to set an example.

**Mr. Givens:**

Talk to Mr. Flaherty in Lands and Buildings.

**Michelle Madoff:**

Mr. Flaherty will you help me with that, will you help me with the project?

**Mr. Flaherty:**

Paul Evers.

**Michelle Madoff:**

Well, why don't we get Paul Evers and anyone you could think of to help me with that.

**Mr. Flaherty:**

On a Post Agenda?

**The Chair:**

Frank Williams in the County.

**Michelle Madoff:**

I want a Post Agenda and a update on what is going on in energies and these items and anything else you'd care to



suggest. What about insulated windows for this winter, what are we doing to conserve energy, what are we doing on waste heat recovery.

**Mr. Givens:**

We each have our own departments, when you sit at a red light out there that is a hell of a lot of energy you are pumping away.

**Michelle Madoff:**

What are you doing about this room? What are you doing about this room? Look, we could talk about energy for the whole country, I have some great ideas on that, I'm talking about this building.

**The Chair:**

Is Frank Williams Paul Evers' counterpart in the County?

**Mr. Flaherty:**

Paul Evers.

**Michelle Madoff:**

Paul Evers? Alright, then we'll go from there and find who else we need. Would you find out who it is that is the energy conservation person, it is a woman, who has been assigned to be doing some work in this building, I think Larry Yatch might know, but I'm not sure, I think he does the elevators, would you put Larry Yatch down too? And let's find out what we can do.

## PRESENTATIONS

**Mr. Flaherty presented**

No. 3970 Resolution providing for the issuance of a warrant in favor of Otis

Elevator Company in the amount of \$13,475.67 in payment for elevator maintenance, furnished for the benefit of the City in connection with six automatic elevators, City-County Building, and providing for the payment thereof.

Also,

No. 3971 Resolution providing for the issuance of a warrant in favor of Carrier Air Conditioning in the amounts of \$240.60 and \$165.90 totalling in the aggregate \$406.50 for parts furnished in connection with emergency repairs to the a/c unit at the N. S. Public Safety Center, chargeable to and payable from C.A. 1364, Department of Lands and Buildings.

Which were read and referred to the Committee on Finance.

Also,

No. 3972 Resolution amending Resolution #647, effective 7/13/81, entitled, "Providing for the acceptance by the City of Pittsburgh from Dolores May Salago of certain property in the 24th Ward of the City of Pittsburgh for public greenway purposes, for a nominal consideration plus the cost of title examination, recording of deed and other proper closing expenses; and providing for payment of the cost thereof", by including the Director, Department of City Planning and correcting the name of the trust fund to PMAMP Trust Fund.

Also,

No. 3973 Resolution amending Resolution #702, effective July 23, 1981, providing for the acquisition from Consolidated Rail Corporation of certain property located in the 12th Ward, City of Pittsburgh, for the development of an Asphalt Plant and providing for the cost

of the payment thereof by providing for quit-claim deed.

Also,

No. 3974 Resolution providing for an Agreement/s with the County of Allegheny for one-half share not to exceed \$11,500.00 in connection with a Technical Assistance Study of the City-County Building and providing for the payment of the costs thereof.

Also,

No. 3975 Resolution providing for a license to Equitable Gas Company for the installation of a regulator, its housing and necessary pipelines on City property fronting on Spring Garden Avenue and Welser Wav, 24th Ward.

Also,

No. 3976 Resolution providing for a contract/s in connection with the construction of a new #10 Engine Company, West End and providing for the payment of the costs thereof, at a cost not to exceed \$650,000.00, payable from LB 81-01.

Also,

No. 3977 Resolution providing for an Agreement/s for professional services in connection with a Technical Assistance Study of City facilities at various locations and providing for the cost of the payment thereof, at an aggregate cost not to exceed \$42,426, payable from LB 80-13 and LB 81-10.

Also,

No. 3978 Resolution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 787 of 1937, as amended.

Also,

No. 3979 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Also,

No. 3980 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

No. 3981 Resolution amending Resolution No. 87, approved 2/22/80, effective 2/23/80, entitled, "Providing for the issuance of a warrant in favor of Boquet Construction Co., in the amount of \$6,123.00, in payment for Extra Work furnished for the benefit of the City in connection with sidewalk construction- various locations, and other work incidental thereto, (Community Development); and providing for the payment thereof," by decreasing the total allocation by \$3,000.00.

Also,

No. 3982 Resolution amending Resolution No. 656, approved 7/22/80, effective 7/25/80, entitled, "Authorizing the issuance of a warrant in favor of H. F. Carter, Inc., in the amount of \$8,006.84 in payment for work performed at Carnegie Library/Hill Branch, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof", by decreasing the allocation from \$8,006.84 to \$4,006.84, Code Account 4-40-30-

0975-76-910-75-01/75 CDULO, in the Department of Public Works.

Also,

No. 3893 Resolution transferring One Thousand Two Hundred Fifty (\$1,250.00) dollars from Code Account 1544-1, Chartiers Flood Protection Project to Special Trust Fund C.F.P.P. Chartiers Flood Protection Project/Operation and Maintenance, Department of Public Works.

Which were severally read and referred to the Committee on Finance.

Also,

No. 3984 Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Samuel H. Triplett, situated at the intersection of Grandview Avenue and LaBelle Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 3985 Resolution taking, appropriating, and condemning by the City of Pittsburgh, for public road easement purposes, certain property of John R. Gavin Etux, situated at the intersection of Grandview Avenue and Augusta Street in the Nineteenth Ward of the City of Pittsburgh.

Also,

No. 3986 Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Robert W. McCune, situated at the intersection of Grandview Avenue and Meridan Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 3987 Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of Charles W. Carman, Jr., situated at the intersection of Grandview Avenue and Olympia Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 3988 Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of Leonard M. Celmo situated at the intersection of Grandview Avenue and Sweetbriar Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 3989 Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of St. Mary's situated at the intersection of Grandview Avenue and Ulysses Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 3990 Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of St. Mary's situated at the intersection of Grandview Avenue and Bigham Street in the 19th Ward of the City of Pittsburgh.

Also,

No. 3991 Resolution taking, using, appropriating and condemning certain property of Morry J. Roasecrans, owner of Lot No. 15-J-300, situated in the Nineteenth (19th) Ward of the City of Pittsburgh, County of Allegheny and

Commonwealth of Pennsylvania, for the opening and widening of Crane Avenue and other public purposes and providing for the payment of the cost thereof.

Also,

No. 3992 Resolution granting unto McDonald Corporation, 444-448 Liberty Avenue, Pittsburgh, its successors and assigns, the privilege and license to construct, maintain and use at its own cost and expense, an electrical vault in a portion of the sidewalk of Forbes Avenue in the 2nd Ward of the City of Pittsburgh.

Also,

No. 3993 Resolution granting unto N. John Cunzolo, 800 Renshaw Building, Second (2nd) Ward, City of Pittsburgh, his successors and assigns, the privilege and license to construct and maintain and use, at its own cost and expense, a balcony to be erected at the rear of his building at Liberty Avenue and Ninth Street.

Also,

No. 3994 Resolution providing for a contract/s for North Side Concrete Step Construction and Reconstruction- various locations, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof not to exceed \$150,000.00.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 3995 Resolution providing for the issuance of a warrant in favor of J-Jac Construction, 4610 Barlind Drive, W. Pittsburgh, PA 15227, in the amount of

\$10,300.00, for Installation of Gate Valves and Tapping Sleeve, chargeable to and payable from the 1979 Capital Budget Account No. WD 70-09, Fifth Avenue, Craft Avenue to Boquet Street (4-05-20-1065-79).

Which was read and referred to the Committee on Finance.

Also,

No. 3996 Resolution providing for a contract/s for the furnishing and delivery of water meters of various sizes, less trade-ins, for the requirements of the Department of Water, at a cost not to exceed \$20,000.00, chargeable to and payable from the 1981 Capital Budget, WD-81-21, Water Meters (4-05-25-0004-81).

Also,

No. 3997 Communication from Richard Cosentino, Director, Department of Water, requesting interim approval of payment of \$4,000.00 for extra work in connection with replacement of valves, Controller's Contract No. 24778, to be payable from WD 81-18.

Which were read and referred to the Committee on Water.

#### **Mrs. Masloff presented**

No. 3998 Resolution transferring \$7,397.00 from Project Code 4-10-01-1265-78 (PR 78-01) Arts and Crafts Center to Project Code 4-10-10-1510-80 (PR 80-17) Mellon Park Gardens.

Also,

No. 3999 Resolution amending Resolution No. 847 of 1980 entitled, "Providing for a contract/s or use of

existing contracts for the lighting of Mellon Park; and providing for the payment of the cost thereof", by increasing the amount provided from \$20,000.00 to \$27,397.00 from Project Code 4-10-10-1510-80 (PR 80-17 Mellon Park Garden Improvements).

Also,

No. 4000 Resolution providing for a contract/s or use of existing contracts for Security Lights and Light Replacement at various locations including Banksville Park; and providing for the payment of the cost thereof not to exceed \$35,000.00 in Project Code 4-10-05-1480-81 (PR81-14).

Also,

No. 4001 Resolution providing for a contract/s or use of existing contracts for refurbishing of Lee School Recreation Center at a cost not to exceed \$70,000.00 chargeable to and payable from Project Code 4-10-06-1401-81 (PR81-12).

Also,

No. 4002 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$3,452.44 for emergency repairs of electric walk at Pittsburgh Zoo.

Also,

No. 4003 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,067.25 for extra work in connection with General Construction Contract for Pittsburgh Summer Stage at Point State Park.

Also,

No. 4004 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$5,816.24 for extra work in connection with construction of Point State Park Summer Stage.

Also,

No. 4005 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,075.00 for furnishing and planting of trees to accent Pittsburgh Symphony Summer Stage at Point State Park.

Also,

No. 4006 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$2,000.00 for installation of lighting at Phipps Conservatory for 1981 Fall Flower Show to be payable from Phipps Conservatory Trust Fund.

Also,

No. 4007 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$958.00 for extra work in connection with Brookline Recreation Center Gymnasium Floor, Controller's Contract No. 25214.

Also,

No. 4008 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,270.00 for extra work in connection with West End Park Shelter House Renovation, Controller's Contract No. 25039-F.

Which were severally read and referred

to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 4009 Resolution transferring the sum of \$1,500.00 from Code Account No. 1468, Equipment, to Code Account No. 1463, Miscellaneous Services within the Department of Fire.

Which was read and referred to the Committee on Finance.

**Mr. Robinson presented**

No. 4010 Resolution providing for an Agreement/s with Freedom Unlimited, Inc., a non-profit organization whose purpose is to promote community understanding and awareness of racial problems, and the URA, so as to renovate their building at 2201-03 Wylie Avenue in the Hill District, chargeable to and payable thereof.

Also,

No. 4011 Resolution providing for an Agreement/s with the Earnest T. Williams Center located in the Northview Heights section of the City and the URA so as to weatherize the Center's building located at 101 Hazlett Street in which social service programs are operated for residents of that area.

Also,

No. 4012 Resolution providing for an Agreement/s with the Hill House Association and the Urban Redevelopment Authority for the renovation of the Hill City Building located on Bedford Avenue in the Hill District, and providing for the payment of the cost thereof.

Also,

No. 4013 Resolution providing for an Agreement/s with the St. Ursuline Academy located on Winebiddle Street in Bloomfield and the URA, so as to construct ramps for the handicapped and do general rehabilitation work on specific areas of the school building which would be used for various community activities.

Also,

No. 4014 Resolution providing for an Agreement/s with the West End Health Center and the URA so as to renovate the heating and lighting systems in the Center's building located at 441 S. Main Street.

Also,

No. 4015 Resolution providing for an Agreement/s with Chadwick Civic League, Inc., located in the Lincoln-Lemington area of the City and the URA, so as to provide insulation for the center which is owned and operated by the City and providing for the payment and cost thereof.

Also,

No. 4016 Resolution providing for an Agreement/s with the Brashear Association of the South Side and the URA so as to renovate the Brashear Association Center at 2205 Sarah Street and the Henry Kaufmann Center at 2201 Salisbury Street for continued use as multi-purpose neighborhood centers, chargeable to and payable thereof.

Also,

No. 4017 Resolution providing for an Agreement/s with the St. Vincent DePaul Society, a non-profit organization, located at 2005 Wyandotte

Street and the URA, so as to continue additional rehabilitation work at the Pittsburgh Community Food Bank distribution center.

Also,

No. 4018 Resolution providing for an Agreement/s with the County of Allegheny for the transfer of \$30,000 from the City of Pittsburgh's 1981 CDBG Program funds as the City's share of the funds that will be expended by the Easter Seal Society for Crippled Children and Adults of Allegheny County, pursuant to a contract with the County for the removal of architectural barriers at the main service center, 100 7th Street, Pittsburgh.

Also,

No. 4019 Resolution amending Resolution No. 589, effective July 2, 1981, so as to add the Capital Budget Authorization of \$125,000 (NPA) CP-81-07 "URA Planning Management and Administration of City Projects" to the Co-op Agreement; and further to add \$100,000 of CDBG, Unspecified Local Options, funds for "Hill District Project Area Committee - Consulting Services" to the Co-op Agreement.

Also,

No. 4020 Resolution providing for the execution of Cooperation Agreement/s with the URA of Pittsburgh for the performance of certain work in connection with the 1981 Community Development Block Grant Program, and providing for the payments of the cost thereof.

Also,

No. 4021 Resolution authorizing the URA of Pittsburgh to file an application with the Commonwealth of

Pennsylvania, Department of Community Affairs for the 1982 Blight Prevention Program.

Also,

No. 4022 Resolution authorizing the Mayor to enter into a Cooperation Agreement with the URA of Pittsburgh to act as the fiscal agent of the 1982 Blight Prevention Program and providing for Code Enforcement and Demolition services by the City of Pittsburgh.

Also,

No. 4023 Resolution approving a Conditional Use under Section 993.01(a) A 44 of the Pittsburgh Code, Title Nine, Zoning, for use of 1718 Sarah Street by Goodwill Industries of Pittsburgh as a Group Care Facility, 17th Ward.

Also,

No. 4024 Resolution approving a Conditional Use under Section 993.01(a) A 43 of the Pittsburgh Code, Title Nine, Zoning, to Edward and Barbara Dotten for use of the property on Muldowney and Mere Streets as a Group Residence Facility, 31st Ward.

Also,

No. 4025 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission to attend EDA Meeting, Philadelphia PA, October 9, 1981, at a cost not to exceed \$390.00 payable from Code Account No. 1103, Miscellaneous Services.

**Mr. Stone presented**

No. 4026 Resolution providing for the issuance of a warrant to Michael Smith, care of Frank E. Little, Esquire, 300 Law & Finance Building, Pittsburgh,

PA 15219, in the amount of \$2,000.00 in full settlement of a lawsuit at No. 5285-80 of a claim for personal injuries, and providing for the payment thereof.

Also,

No. 4027 Resolution providing for the issuance of a warrant to Valerie Mould and Peter Mould, husband and wife, care of Paul F. Laughlin, Esquire, Suite 140, Ft. Pitt Commons Building, Pittsburgh, PA 15219 in the amount of \$2,500.00 in full settlement of a claim for personal injuries and a lawsuit at No. GD 80-8715 and providing for the payment thereof.

Also,

No. 4028 Resolution authorizing the issuance of a warrant in favor of the U.S. Department of Labor in the amount of \$29,426.66 in payment of a debt established through a Stipulation of Settlement related to CETA Audit for Fiscal Years 1975 and 1976.

Also,

No. 4029 Resolution providing for an Agreement/s with private-for-profit businesses, or nonprofit organizations, to provide on-the-job training services for CETA participants and providing for the payment of the costs thereof, at a cost not to exceed \$300,000.00, payable from CETA Title VII Trust Funds, Federal Funds.

Also,

No. 4030 Communication from Lawrence J. Yatch, Director, Department of Supplies, requesting permission for Edward Earnest, to examine bridge inspection vehicle, Minneapolis, Minn., October 15-16, 1981, at a cost not to exceed \$600.00, payable from Code Account No. 1142,

Miscellaneous Services, Department of Supplies.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 4031

Report of the Committee on Finance for September 30, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3833

Resolution entitled, "Resolution transferring the sum of \$7,000.00 from Code Account No. 1468, Equipment to Code Account No. 1464, Supplies & Materials, within the Department of Fire."

Which was read.

Also,

Bill No. 3915

Resolution entitled, "Resolution temporarily transferring the sum of Four Hundred Thousand Dollars (\$400,000.00) from Code Account No. 1443, Salaries and Wages, Regular and Temporary Employees, Department of Police, to Code Account No. 55, Policemen's Relief and Pension Fund." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Givens:**



Mr. Clerk, please get someone to check into Bill No. 3915, there are some errors.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3875

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedesco Landscaping Contractors in the amount of \$2,260.00 in payment for work performed at Phillips Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3884

Resolution entitled, "Resolution

providing for the issuance of a warrant in favor of the listed member of the Department of Police for partial financial replacement for items damaged while on duty; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3885

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of \$1,383, in payment for rental of equipment furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3886

Resolution entitled, "Resolution transferring the sum of \$1,000.00 from Code Account No. 1468, Equipment, to Code Account No. 1463-1, Educational and Travelling Expenses, within the Department of Fire."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3889

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$718.00 in favor of Raymond Crowe, 432 Herschel Street, Pittsburgh, PA 15220 in payment for the emergency demolition and removal of 2 story garage located at 812 Galveston Street rear, without previous authority of law, and providing for the payment

thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 4032

Report of the Committee on Public Works for September 30, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3866

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Norfolk and Western Railroad for permission to tunnel under their tracks in connection

with the reconstruction of the Saw Mill Run Sewer."

Which was read.

Also,

Bill No. 3867

Resolution entitled, "Resolution providing for an Agreement between the City of Pittsburgh and Reserve Township in connection with the reconstruction of Pittview Street."

Which was read.

Also,

Bill No. 3868

Resolution entitled, "Resolution amending Resolution No. 182, approved March 15, 1980, effective March 21, 1980, entitled, 'Providing for a contract or contracts for the construction of the Schenley Park Sewer; and providing for the payment of the cost thereof,' by amending the title and by increasing the project allocation by Thirty Five Thousand (\$35,000.00) Dollars."

**Michelle Madoff:**

Mr. President, I would like Eddie Albert to clarify Bill No. 3868 for me. As you may recall we had a \$10,000.00 overrun which was presented to this Council not as an overrun but as an additional sewer. He clarified that with me and I want that on the record, that was not an additional sewer, that was a cost overrun of \$10,000.00. Now, I don't understand, we're back to Schenley Park with another \$35,000.00, now I am really confused. Could we have Eddie clarify that.

**Mr. Albert:**

That was in addition to the contract by Public Works, they are going out for a \$125,000.00 contract on their own for a main line through Schenley Park. This additional money for the swimming pool sewer, it is included in that contract but Public Works wanted it paid out of Parks funds so it wouldn't be confused with their money. It is separate and distinct.

**Michelle Madoff:**

But it is the same sewer and it is a \$10,000.00 overrun.

**Mr. Albert:**

Its to repair a sewer that was broken during construction.

**Michelle Madoff:**

But we already sent it out, it was already done, we are now having additional work, it was not, as presented to this Council, an additional sewer, because we've had that Schenley Park come up so many times I just questioned it.

**Mr. Stone:**

He's not saying what you are saying.

**Michelle Madoff:**

No, he's saying, I understand --

**Mr. Stone:**

What he is saying is take the money from another department, but it is the same sewer.

**Michelle Madoff:**

Right. But it was not presented to this Council on that other \$10,000.00,

this is a separate project, they were including the \$10,000.00 —

**Mr. Albert:**

No. Its the repair of an existing sewer for the Parks Department.

**Mr. Stone:**

Its no overrun. I thought I was hearing it right.

**Michelle Madoff:**

Wait, wait. We're talking about two different things now, this is this particular bill, but the \$10,000.00 we already voted on was on the sewer we already contracted for and the price went up and we're getting Parks and Recreation to pay for it.

We allocated dollars for the sewer many times last year, there were two sewers --

**Mr. Stone:**

The original one yes, we did over, but this one, as he is indicating, Public Works is doing their own sewer project and they want some credit for some part of what they are doing for Parks and Recreation which is not an overrun, but rather a repair cost item.

**Michelle Madoff:**

Well then perhaps somebody can clarify, did we or did we not spend any dollars to fix the sewer in Schenley Park prior to this?

**Mr. Stone:**

There was some question in the past Michelle, —

**Michelle Madoff:**

He's nodding his head Mr. Stone, what did we spend prior?

**Mr. Albert:**

Well, originally, there was an original cost overrun of \$29,000.00.

**Michelle Madoff:**

That was the overrun, what was the original cost of the contract? There was a contract to repave a sewer line when we built the new swimming pool when they found that the sewer completely collapsed, or is this the — this is now the project and now we are paying for it?

**Mr. Albert:**

Which contract are you talking about?

**Michelle Madoff:**

The contract when we built the swimming pool, and they found the sewer completely collapsed.

**Mr. Albert:**

No, this is to repair a sewer that collapsed during a heavy rainstorm —

**Michelle Madoff:**

So this is not the same sewer?

**Mr. Albert:**

No.

**Michelle Madoff:**

Then why is Parks paying for \$10,000.00 if it is not the same sewer for the park.

**Mr. Stone:**

Because its a sewer in their area

**The Chair:**

Their area but Public Works has to do it.

**Mr. Stone:**

So the park doesn't get shortchanged by that much money.

**Michelle Madoff:**

What is the total overrun on that project, on sewers, ballpark.

**Mr. Albert:**

I'd say about \$35,000.00, \$40,000.00.

**Michelle Madoff:**

Did you hear that Mr. Stone? That is my point. Okay, just wanted to get it on the record, thank you Mr. Albert.

Which was read.

Also,

Bill No. 3869

Resolution entitled, "Resolution further amending Resolution No. 172, approved February 20, 1981, effective March 2, 1981, as amended by Resolution No. 307, approved March 26, 1981, effective April 3, 1981, entitled, 'Providing for an Agreement or Agreements with Michael Baker, Jr., Inc., for Professional Services in connection with a preliminary permit for hydroelectric facilities at the Allegheny River Lock and Dam No. 2; and providing for the payment of the cost thereof,' by authorizing a Supplemental Agreement for

Professional Services and by increasing the project allocation by Three Thousand Five Hundred (\$3,500.00) Dollars."

Which was read.

**Mr. Givens:**

Mr. President, on Bill No. 3869, I would like our legal department to give us a brief on some of the discussion that came up on that bill this past Wednesday. I don't want some slick Philadelphia taking up our hydroelectric plant, I want to know what our legal department can do to block that.

Also,

Bill No. 3870

Resolution entitled, "Resolution further amending Ordinance No. 212, approved April 30, 1973, as amended by Resolution No. 437, effective May 27, 1980, as amended by Resolution No. 708, effective August 8, 1980, entitled, 'An Ordinance providing for an Agreement with the Commonwealth of Pennsylvania, Department of Transportation, for the improvement and construction of Legislative Route 257, Section 27T (Intersection of Steuben Street, Ingram Avenue and Woodmere Drive); Legislative Route 246, Section 37T and Legislative Route 76, Section 43T (Topics), and providing for the payment thereof; also, authorizing an Agreement between the Commonwealth of Pennsylvania and the City of Pittsburgh for the credit to the City of Pittsburgh of Three Thousand Nine Hundred Sixty One Dollars and Sixty Four Cents (\$3,961.64), which represents expenditures by the City of Pittsburgh for the purchase and storage of traffic and signal equipment to be used within the limits of the project,' by amending the project Code Account."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 4033

Report of the Committee on Planning, Housing and Development for September 30, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3682

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 3 by changing from 'R4' Multiple-Family Residence District and 'C3' Commercial

District to 'RP' Planned Residential Unit Development District all that certain property bounded by: Baldwick Road; the Pittsburgh and Crafton Borough Boundary Line; Perrine Street; Hall Avenue; Poplar Street; Lot No. 350, Block 39-F in the aforesaid System; Lot No. 1 in the Improvement Subdivision Site Plan for Noble Tower Plan recorded in Plan Book Volume 103, Pages 69 through 71, 28th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3890

Resolution entitled, "Resolution amending Resolution No. 97, approved February 22, 1980, effective February 28, 1980, as previously amended by Resolution No. 418, approved April 21, 1978, effective April 25, 1978, providing for an agreement or agreements with the Housing Authority of the City of

Pittsburgh to employ a Housing Inspector to seek and locate suitable housing units which comply with requirements of Section 5 by increasing the amount of the agreement or agreements."

**Michelle Madoff:**

I abstain on Bill No. 3890. Also, I would like my remarks from Wednesday's meeting incorporated into the minutes.

**MICHELLE MADOFF'S COMMENTS ON BILL NO. 3890 FROM THE MEETING OF WEDNESDAY, SEPTEMBER 30, 1981:**

**Michelle Madoff:**

How many people do you have in this division, employees, would you say?

**Director Brophy:**

About eight.

**Michelle Madoff:**

Are you saying that there are not enough people, you could use a lot more?

**Director Brophy:**

No, I didn't say that.

**Michelle Madoff:**

In light of the federal government cutbacks and in light of the fact that we are going to have a tremendous increase in taxes, there is just no way around it, maybe we can have an efficiency expert come in and re-juggle your workload and not have these additional funds, have somebody else do it.

**Director Brophy:**

This is not adding staff.

**Michelle Madoff:**

I understand that, I am saying what if you have to go back to six on staff. What if the money wasn't there?

**MR. STONE COMMENTS**

**Michelle Madoff:**

I couldn't agree with you more, you are absolutely right, I am glad you said what you did because Mr. Brophy will verify that. On at least 10 occasions I have said to him, Paul, you have got to go to the Administration and you have got to ask, not for indians, but for chiefs, because there is no human way he can take over at the top, because it is not cost effective when we have a lot of indians doing the wrong thing and we don't have enough chiefs to overview.

The incident that occurred with Crown Wrecking was a disgrace, was not Mr. Brophy's fault, but was a matter of a 30 year old employee being responsible for somebody that has only been here a couple of years and he has his neck in the guillotine because somebody else made the error and I think we are going to have to face up that something is penny wise and pound foolish. If we don't indeed do something to relieve the pressure on this man we are not going to have him, he is going to be hired away at some other City at twice the money. He and I talked about this many times and we better address this in this year's budget.

**DIRECTOR BROPHY SPEAKS**

**Michelle Madoff:**

In answer to my question, what I am saying is perhaps the dollars -- I want to see more chiefs, because it will take less indians and less damage and less lack of follow-through work if we can get some help on the executive level for you and I am seriously questioning whether

we need this \$12,000.00 for this employee and maybe if you had other people at other levels, maybe we could cut down on this department, but in other departments, and I think you are going to have to re-evaluate them and we are going to have to have an efficiency expert come in and see how we can be more efficient. We shouldn't cut back on staff, we are not giving the service, we just can't do it. I know you would like to do a lot more, we have talked about this many times, but I think we are approaching it from the wrong angle. The angle has to be some administrative point or order that is responsible as opposed to people who report to you and don't do their jobs and you get the blame. For example, while you are here, wasn't Mr. Crown declared, and I think Mr. Gaetano is here still, and he should be, a non-responsible bidder, how come he is getting contracts?

**MR. STONE SPEAKS**

**Michelle Madoff:**

I am saying I don't think we need it, I think we need to reconstruct the department.

**END - MICHELLE MADOFF'S  
COMMENTS ON BILL NO. 3890, 9/30/81.**

**Mr. Robinson:**

Mr. President, a clarification on Bill No. 3890, there is presently someone working for the Housing Authority as a Section 8 Inspector; this legislation would allow the program itself to be extended for that particular individual to continue to receive a salary. For the individual who is presently in this position to stay in that position, the program that he is working on will be extended and we are simply authorizing money so that he can be paid over the extended period of time.

**Mr. Stone:**

Its only a time extension, nothing else.

**Michelle Madoff:**

May I respond? The point I am making here, Councilman Robinson, is we are going to budget hearings very shortly and I stated clearly the other day that I think that in this particular department there aren't enough chiefs, there are too many indians, and maybe not even enough indians. But somehow or other the workload has to be divided so that people like Paul Brophy don't end up getting the brunt of some problems that we have seen such as the crown, filling of the caverns and other problems that have occurred. I don't think that this one person getting a salary is really the answer to the problem, although I am not opposed to that in principle, I am opposed to the whole operation, we are just not getting what needs to be done in the City period. I don't think anybody will quarrel with that and I am not going to find myself in a position, for the third year running, when we get to budget hearings, of assuming that all we are doing is reviewing with every department, line items, as a review process and then find out that is considered that I voted for those jobs. Somehow or other with the faucet being turned off, we'd better start thinking about being innovative.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:



Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8 NOES none  
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Which was read.

Also,

Bill No. 3891

Resolution entitled, "Resolution repealing Resolution No. 18, effective January 15, 1981, entitled, 'providing for an Agreement or Agreements with consultant or consultants for design of street furniture, landscaping and preparation of design controls in connection with the implementation of the Oakland Study.'"

Which was read.

**The Chair:**

On Bill No. 3891, Bill, did we ever determine what street furniture was? Are they benches or what?

**Mr. Robinson:**

Yes.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3892

Resolution entitled, "Resolution amending Resolution No. 983, effective October 16, 1980, entitled, 'Providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance for the implementation of the Communities Combatting Crime in various Community Development Block Grant Neighborhood Revitalization Areas in the City, so as to increase the amount of funds to cover a time extension of the original Agreement.'"

Which was read.

**Mr. Robinson:**

Mr. President, I would like to make a motion to recommit Bill No. 3892 please.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

Bill No. 3894

Resolution entitled, "Resolution amending Resolution No. 1074, approved November 29, 1979, effective December

5, 1979, entitled, 'Authorizing a Cooperation Agreement between the City and the Urban Redevelopment Authority of Pittsburgh for the implementation of the City-wide Revolving Loan Fund and providing for the costs thereof.'

Which was read.

Also,

Bill No. 3895

Resolution entitled, "Resolution amending Resolution No. 369, approved April 25, 1980, effective April 30, 1980, entitled, 'Authorizing an Agreement or Agreements with the Business and Job Development Corporation for the improvements to 7800 Susquehanna Street and the Development of a steel can recycling center at a cost not to exceed \$75,000 and providing for the cost thereof.'"

Which was read.

Also,

Bill No. 3896

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and William H. James for the sale of Block 15H, Lot 156 in the Eighteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3897

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the

Urban Redevelopment Authority of Pittsburgh and Ronald J. and Setphanie L. Zak for the sale of Block 57G, Lot 231 in the Fifteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3898

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Mark J. and Susan M. Beatty for the sale of Block 16N, Lot 159 in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3899

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Abbas A. and Sabreen A. Aquil for the sale of Block 23F, Lot 217 in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3900

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Creighton D. Green and Cheryl L. Janey for the sale of Parcels 173B and 174A-2 in the Twenty-First Ward of the City of Pittsburgh in

Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3901

Resolution entitled, "Resolution approving execution of a Contract for Disposition of land by and between the Urban Redevelopment Authority of Pittsburgh and John S. Lindell for the sale of Parcels 19 and 20 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3902

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and John S. Lindell for the sale of Parcel 7A in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3903

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Wayne R. Young for the sale of Parcels 69 and 70 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3904

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gerald Thomas for the sale of Parcel 276 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3905

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Francis Kearns for the sale of Parcels 21 and 22 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 17."

Which was read.

Also,

Bill No. 3906

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Rena C. Hutchins for the sale of Parcel 227B in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 3907

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the

Urban Redeveloment Authority of Pittsburgh and James N. Williams for the sale of Parcel 172 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 3908

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 11th Ward of the City of Pittsburgh owned by Levi Bryant and Mirie Bryant, and designated as Block and Lot 83-A-277 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of

Pittsburgh."

Which was read.

Also,

Bill No. 3909

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 11th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 50-D-27, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3910

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Samuel S. Stewart Company, Inc., and designated as Block and Lot 23-J-89, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified by the Vacant Property Review Committee and the Planning Commission of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

I am abstaining on Bill Nos. 3908, 3909 and 3910 and I would like my comments of Wednesday brought forward. I have sent a memo out to Steve George of URA asking what he is doing with all properties and what he is holding and all properties that are not side lots and that are not steep hillsides etcetera, to let us know what the plans are and why he is buying them up, what use he has and how everybody can have access to the same properties. So, for the moment I want you to show me as abstaining on all of those bills. That is 3908, 3908, 3910 and 3890, and the only reason, as you know, I want my comments brought forward from 3890 is that I believe that can be done in-house.

**MICHELLE MADOFF'S COMMENTS ON BILL NOS. 3908, 3909, AND 3910 FROM THE MEETING OF WEDNESDAY, SEPTEMBER 30, 1981:**

**Michelle Madoff:**

I don't understand that Mr. Chairman, would you explain that on 3909, is that a side yard?

**Mr. Chairman:**

I don't know.

**Michelle Madoff:**

Now, when you acquire it, what are you going to do with it?

**MR. STONE SPEAKS**

**Michelle Madoff:**

That's my point, now you have really hit the problem that I was trying to get at before Mr. George --

**Mr. George:**

The intended reviews will be

residential rehabilitation as part of land from --

**Michelle Madoff:**

Is it a vacant house or is it a vacant lot?

**Mr. George:**

Its a vacant lot.

**Michelle Madoff:**

If Mr. Evers had gone out and advertised it on KQV or WTAE, would somebody perhaps have bought that lot and not have to transfer it to you?

**Mr. George:**

What about putting it together and then you could build three or four houses on it.

**Michelle Madoff:**

I will buy that, now that you got it, how are you going to advertise it?

**Mr. George:**

We will advertise it through the paper; most of this effort is being handled by the Department of Housing, Paul Brophy's Department, in locating builders --

**Michelle Madoff:**

That's my point, you hit it right in the head, why can't somebody in the private sector who says, I have built houses on the Northside, I have done it myself, have that same option?

**Mr. George:**

Well, that's fine.

**Michelle Madoff:**

Sure, if they happen to find it on the legal notice in a small little ad with a magnifying glass. You are not going to do it anymore Steve, because we are not going to let you do it anymore. A number of members of Council --

**Mr. George:**

You don't allege that I have been doing anything improper or anything illegal?

**Michelle Madoff:**

I didn't say that yet, because I don't have the facts yet, and when I have the facts, and if there are any improprieties, I will certainly speak out. The issue is equal opportunity to every member of this community, do you accept that?

**Mr. George:**

The City of Pittsburgh has equal opportunity.

**Michelle Madoff:**

Only if they know about it.

**MR. STONE SPEAKS**

**Michelle Madoff:**

Only if they know about it. Right now Mr. Evers, in his department, he will tell you that the reason why we have these books being made out are, unless you are an architect or engineer or somebody in real estate, you can't read those damn blueprints. They don't even have street numbers. Even inspectors go out, the people that have to do their appraising, they can't find the lot. Don't tell me I don't know what I am talking about, I studied it for six months and I

did it with Regis Valaw, so he must know something.

**END - MICHELLE MADOFF'S REMARKS ON BILL NOS. 3908, 3909 AND 3910, 9/30/81.**

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none  
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 4034

Report of the Committee on Parks and Recreation for September 30, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3876

Resolution entitled, "Resolution

amending Resolution No. 934, approved September 19, 1980, effective September 26, 1980, entitled, 'Providing for the letting of a contract or contracts for the construction of improvements at South Side Park; and providing for the payment of the cost thereof,' by decreasing the authorized cost from \$115,000.00 to \$102,634.00."

Which was read.

Also,

Bill No. 3877

Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering or other professional services in connection with the design and renovation of picnic shelters including Highland Park (Rhododendrum) and providing for the cost thereof."

Which was read.

Also,

Bill No. 3878

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the purchase and erection of prefab picnic shelters and associated equipment; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3879

Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from the School District of Pittsburgh of certain property in the

19th Ward of the City of Pittsburgh, known as the Lee School Site, and in the 14th Ward of the City of Pittsburgh, known as the Wightman School Playground Site and the Davis School Playground site, for so long as it is used for public recreational purposes, for a nominal consideration plus the cost of title examinations, recording of deed(s) and other proper closing expenses, and providing for the payment of the same."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 4035

Report of the Committee on Lands and Buildings for September 30, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3865

Resolution entitled, "Resolution providing for the sale by the City of Pittsburgh and School District of Pittsburgh of Block 11-J, Lot 002 in the First Ward of the City of Pittsburgh, to the Urban Redevelopment Authority of Pittsburgh for \$50,000."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

## MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Mr. President, I want to share with you that I had a call from the people who submitted to this Council from the Market Square petitioners, requesting a petition on the lighting, they want to extend it to include, or

perhaps the Clerk would make a note, police protection, it appears that they have been told that the one policeman with the dog will be removed from that area and they have great concern, they would like three policemen with dogs. The lighting is going to be temporarily installed by moving the lighting poles back as Mr. Gaetano has told us and ultimately, when PPG goes in they will have decorative lighting. So, they are happy on the lighting end but they are not happy on the problem with the police protection.

They also have a very serious problem, and that is —

**The Chair:**

If I may, on the police protection, they have divided that section for some reason or other, where it was all Number 2, part of it is now Number 1 and part is Number 2. I talked to both Inspectors and both tell me for the time being they can't spare any police in that area. They said something about maybe somebody during the day but there will be nobody at night with a dog or no one at all, period.

**Michelle Madoff:**

Well, as Mr. Stone pointed out, if we are going to have a convention and we had one of the best conventions this country has ever had with the steel convention here, last week, with 1,800 people in for the steel convention and 150,000 people going —

**The Chair:**

Michelle, we all sit here time and again and Superintendent Coll keeps saying he has enough police and we keep saying he doesn't and this proves our point, we don't have enough police.



**Michelle Madoff:**

Well, I'm saying it again, if we are going to build up Market Square and the downtown area, we have a real problem with having adequate police and I think that this Council has got to be very adamant with the Administration in saying, if we are going to have people in the downtown area and the areas coming in as visitors, then, as Mr. Stone said, we'd better be safe than sorry because this is going to come home to roost, I'm sorry if I'm repeating Mr. Stone but he said it better than I did. We have a problem and we'd better get some police down there. That's number one and I want something done about it. I want a resolution from this Council that we support police in the Market Square area, would anyone care to second that? No one wants to second that?

**Mr. O'Malley:**

Michelle, can I make a comment on that?

**Michelle Madoff:**

Certainly.

**Mr. O'Malley:**

No police officers have been taken out of the Market Square area due to the split of Number 1 and Number 2 precincts. All of the officers that were working downtown are going to remain downtown. What you heard about the officer being transferred is that the officer was down there for six years and Superintendent Coll thought it was time that he be put on another detail and another officer was put there to replace him.

**Michelle Madoff:**

But that is one policeman and one

dog, period, for that area that has a tremendous volume of business and it is insane to proceed along that line, something has to happen, I think we have all said so, but we have got to say it over and over again, we are not getting the message through that wall, now what can we do about it?

**The Chair:**

With the exception of Mr. O'Malley if I may, the policeman we are talking about has been down there, as you say, five or six years, and they felt very safe with him and he liked that duty down there and they just seemed to feel that when he is out of there that they don't have the adequate protection regardless of who is there, they just feel a lot better with John Clayton, I believe is his name, down there. Why he was taken off, with the argument that he has been there five or six years and he should try some other area doesn't hold water, at least as far as the merchants in that area are concerned, they want him down there and I think as big taxpayers in this City they should get that request filled.

**Michelle Madoff:**

Well wouldn't this Council agree that in the evening when we have visitors coming to our convention, we have the Renaissance II taking place, we have the Station Square which just crosses over from the Froggy's development which is jammed with people and the Market Square development, that we shouldn't have adequate policing with a policeman and a dog at all times in that area, I cannot believe this Council isn't going to say, Yes, let's send another message to the Mayor and that is my resolution.

**Mr. O'Malley:**

May I add to that too, there is another problem that I have just become

aware of, that is with the cutback on PAT transit and the busses, what happens when the baseball games and the football games let out --

**Michelle Madoff:**

But we're getting on another subject.

**Mr. O'Malley:**

No, that's the same subject, the theatres in the evening, the Gateway Theatre, when we have a concert downtown, we have all the young people roaming the downtown area, we have no vehicles, no busses to get out of the downtown area, to get home, so consequently they are stranded on the street for two and three hours, they become rowdy. So, right now we are working with PAT transit so that during special peak hours we can have additional busses put on to keep the vandalism down.

**Michelle Madoff:**

Good point. Well, is it the will of this Council that we once more send a message to the Mayor that we would like to have, at all times, because of the new influx of business and the Convention Center and the new development downtown, particularly with the construction going on where you have to re-route traffic, to have a policeman and a dog at all times, in the downtown area, would anyone second that? I am making that as a motion, would someone second it?

**Mr. O'Malley:**

Michelle, I would, but the Mayor's Office is well aware of this because of the police, I have discussed it a half-a-dozen times with him, I have discussed it with Superintendent DeRoy, I have

discussed it with Superintendent Coll.

**Michelle Madoff:**

And what are you saying, we can't do anything about it?

**Mr. O'Malley:**

No, they are going to be getting back to me on the alternative plans they have for downtown Pittsburgh and in light of the bus services being cut back, they are drawing up contingency plans now and I hope to have them within a week or so.

**Michelle Madoff:**

Well don't you think it would be helpful to you to have a letter from this Council supporting you?

**Mr. O'Malley:**

Well, I think that the Mayor knows that we are all in favor of more police protection.

**Michelle Madoff:**

Well I just wanted to make my point, if I can't get the message across at least I have tried.

Second item, the parking situation in the downtown around Market Square, we have visitors coming in, at nighttime where it makes no impact on mobile traffic, and people are parking there and getting tickets, they are just being rampantly, indiscriminately singled out and ticketed, whereas areas such as First Avenue where Typographical Hall is located, I think it is important that with the construction going on, I was told by the Merchants Association that certain merchants who are just hanging on by the skin of their teeth are going to have to be forced out of business -- forced out of

business, unless they can be somehow or other helped by being a little lenient on the parking, as long as we don't obstruct traffic so they can hang in there until PPG and that development is done, and the Oxford, etcetera, and I would like to have some kind of, perhaps you could look into it Mr. O'Malley, to see what we can do to permit parking around that square and not have mass ticketing.

**Mr. O'Malley:**

In Market Square?

**Michelle Madoff:**

In the Market Square area. They are parking now and they are getting ticketed.

**Mr. O'Malley:**

Everywhere that we can possibly have a meter we have a meter. Its just the construction --

**Michelle Madoff:**

Well, I understand if they put the money in the meter and they are 15 minutes late, they are getting really ticketed and zapped and I wonder if something can be done about that, to be a little more lenient while we are having this, so we don't discourage people from doing business in that area.

**The Chair:**

If they would concentrate more on moving traffic than giving tickets, but then --

**Michelle Madoff:**

That's my point.

**The Chair:**

The letter that went out a week or so ago stating that they have to come in with a quota --

**Michelle Madoff:**

What was that?

**The Chair:**

There is a letter out from the Police Department telling all policemen, especially in that area, to come in with a quota of tickets every week or every month or whatever.

**Michelle Madoff:**

Isn't that self-defeating? Do we want to discourage people from coming to our City?

**The Chair:**

You mean you didn't get a copy of that letter?

**Michelle Madoff:**

No, I did not.

**Mr. Woods:**

I didn't get a copy of that either.

**Michelle Madoff:**

I think I read something about it in the papers, that's where I think, but I vaguely remember something.

**The Chair:**

In fact it was signed by a good friend, Maver DeRoy.

**Mr. Woods:**

Do you mean, Mr. President, that our police have to give a certain amount of tickets every day, or every month?

**The Chair:**

They were told in no uncertain terms to come in with a quota.

**Mr. Woods:**

To show they are doing their job?

**The Chair:**

Or else.

**Michelle Madoff:**

And particularly picking on people so we will put people out of business in the Market Square area.

**Mr. Woods:**

I've never heard of such a stupid thing.

**Mr. O'Malley:**

Ben, this has been going on for years. My dad was told at one time that he had to give out 50 tickets a day or be transferred. That was my father, this happened three or four years ago. He was told he had to give out 50 tickets a day or take a transfer.

**The Chair:**

How often have you seen a traffic tie-up and a cop is over there pulls a person over and gives them a ticket or a summons or a scolding, what have you, and the traffic is backing up, and for 15 minutes this thing is going on over on the side. It happened not too long ago, a guy got cited for telling the cop to get the hell out of the way, excuse my language, but that goes on every day.

**Mr. Woods:**

Who signed that letter?

**The Chair:**

Mayer DeRoy, I believe. I'm almost sure of it.

**Michelle Madoff:**

Could we have some will of Council on that? Can we have a show of support that we would like to encourage not being so tough in that area as long as it doesn't do any damage or obstruct traffic, or do harm to —

**Mr. Woods:**

Enforce the law uniformly.

**Michelle Madoff:**

Oh, uniformly, you mean uniformly like last night when U.S. Steel had its function which we were all invited to and the cars were lined up on every side of Grant Street in violation of the law and nobody was ticketed? Nobody was ticketed. Because it was a special event, couldn't we make this a special event because of undue hardship, so we don't push these people out of business? What do we do? Can you take care of that? Traffic, who does traffic? Jim? Allright. Councilman O'Malley, would you look into it and report back to Council?

**Mr. O'Malley:**

Right.

**Michelle Madoff:**

Allright and one last item. Mr. Stone, I am sure you are aware, probably more than anyone else, that the federal government is not taking out the wage tax from federal employees such as postmen, etcetera, prior to the year '77,

and we have in most instances not been paid. We have now, the federal government collecting the 1%, but since we increased taxes last year to 1-1/4%, they are not taking out the additional quarter percent and there is substantive money due to the City of Pittsburgh. I think I raised it when you raised the issue about the schools, that you were concerned about the asinine way they are closing down schools and discouraging people from staying in the City, I alluded to it. It seems that we have something like \$700,000 outstanding just in that one kitty. I would like to know how we are going to collect it. We have \$1 Million outstanding in Business Privilege Tax, of about one-third being collectable, we haven't collected that, I'd like to know how we are going to do that, and I would also like to address the issue that you discussed which is, how is the school going to be funded to make it viable to keep people in the City, when the biggest taxes that haven't been collected, which really are not our responsibility, but indirectly, the hip bone is attached to the thigh bone, we want to keep people in the City so we can be viable. They are not collecting the school tax, and I wonder if we could have some kind of a Post Agenda with Mr. Schmeiser to bring us up to date as to what he is going to do about this problem. He tells me he has done some really remarkable things to collect back debts in other areas and he is working very hard to update the system, but we are in a tight squeeze this year. What is your sentiment Mr. Stone, do you want to handle it yourself or would you like to have Mr. Schmeiser come and report to us?

**Mr. Stone:**

Mr. Schmeiser and I have been having ongoing meetings, he is working to try to perfect the thing and I think that in fairness to him, he is in the right direction, he is attempting to do that

which I think is proper, considering the City's present needs.

I had a meeting this morning, relative to some matters, I am hopeful that will work itself out, but nevertheless, I don't know that these kind of subjects need that Post Agenda yet, Michelle. I think the kind of thing that needs to be done is what he is doing now and once it is developed, then to let it out and proceed with it.

**Michelle Madoff:**

According to my conversation with him, he has done nothing with reference to the one-quarter percent wage tax addition, nor the wage tax prior to '77, he is just trying to do something on the Business Privilege, that is the only thing he is working on and I wonder if you could report back to Council so we have some idea, we are talking about, a good one-half-of-a-million dollars for next year or maybe more. If you could tell Council what is happening that would be suitable to me, I agree with you, we don't have to have a Post on everything.

**Mr. Stone:**

Mr. President, if I may, while I am speaking here, we have had a subject which is probably going to be as long as my term on this Council, I guess, that is the Equitable Gas and the utilities. You may have read in the newspaper this morning about the incident that happened in Homewood where one of our emergency ambulance vehicles went into a hole and as I understand it now, there will be criminal charges filed, in addition to that, there will be a claim for damages to our vehicle, but in case anyone should wonder what is happening in the City of Pittsburgh, there needs to be an upgrade, obviously, of our utilities, and particularly how they treat the cartways, the actual roadways of our

streets. Any legislation that comes up will deal with all utilities and I have asked Danny Pellegrini to do that, I am told that I should have something on it this week to work with it, but just a slight background, so that the record keeps building relative to one particular agency or utility, which is abused pretty much now, it started in the south area of the City of Pittsburgh, in the West End when they had their problems with the gas pipes in the middle of the road staying there for months at a time, then it got to Sarah Street on the South Side of the City of Pittsburgh, then it got to Carson Street, then it got to S. 16th Street, now it is Homewood; we had it as well, I think it really started, in fairness, on Fifth Avenue in Oakland when we finished our highway and they went in there after it was all paved to do something with it.

I don't share what has been with the movement of Equitable Gas has been lately. If you will notice, they now have a P.R. officer who probably knows nothing about the project, it is a young lady by the name of Dirda who is the press release individual. She just makes a statement and that is it, and this is more tragic than she would like us to believe because that is what she is told, that the kids are stealing their little horses and everything else. I think they are made out of aluminum, the wind can blow them down, and the way they are putting them, they are putting them into the hole rather than near the hole, before you get to the hole. Less than one block away from where the car fell into the hole in the South Side, as of yesterday, and it has been there for three days, it is a pile of dirt, a pile of dirt, a pile of dirt, a hole and deep into the hole is one of these little horses and then behind that are two more piles of dirt.

I think it is now time for the City

of Pittsburgh, at any time when Equitable Gas, particularly, for one, goes for a rate increase, that this City of Pittsburgh exercise a great deal of diligence in requesting that they show the cost for doing work in the City of Pittsburgh, because as they did on Carson Street on the South Side, they dug a hole every ten feet from Tenth Street to 30th Street and then went back and decided they had to put something new in it, had they trenched it and completed I think they would have saved \$200,000, and in some instances, those kind of savings could save them from making rate increases, but if they are going to all the time get rate increases with nobody objecting to it, particularly in their lackadaisical fashion relative to construction, it seems to me that they don't care because we don't care, and the next time that they go for a rate increase, I think this City Council, with the Mayor or without the Mayor, should see that we have somebody representing the people of the City of Pittsburgh in what is going to happen relative to any further increases from Equitable. They can't be doing it the way they are doing it at a tremendous cost to everybody and then have a fuel adjustment where the fuel adjustment is higher than the damn original bill and that is the most asinine thing that has ever happened in this community, and yet at the same time, nobody does anything about it, it is just as if it is a matter of fact that you can't do anything about it. I don't think that is the course and when we start this legislation, we will start seeing a few changes I think because everything relative to these utilities is going on computer and the minute they hit over the deadline they will get fined.

#### **The Chair:**

The newspapers seem fit to headline whenever the City of Pittsburgh raises taxes, but the utility companies

who seem to be anointed, they are never attacked because they can't do any wrong. You hit the nail right on the head. Somebody better get on them.

**Mr. Givens:**

On this same subject, as the Chairman of the Department of Public Works, I was going to bring this particular subject out and my thoughts and ideas on it were, and I would so direct the City Clerk, to send a letter to our Public Works Director, Lou Gaetano, also, all of the utility companies that work in the City of Pittsburgh, especially those that dig up our streets, including our own Water Department, and along with these utility companies, their subcontractors. I think this is wherein the problem lies. They hire many subcontractors and each one has their own little bit to do, so they will dig their holes and accordingly; along with that I want the Director of Public Works to come up with some type of formula as to what materials are put back into these holes. And I am looking for composition of materials, etcetera, and it be standardized. I am looking at various holes throughout the City and I see everything from loose granulated asphalt to good composition asphalt with rock and good asphalt content in it, and I see many of these holes, come the first winter, just popping up all over the City. I think if we standardize it, and I want to see some positive controls put on, so that when they dig a hole within the City of Pittsburgh that our people know about it and we control it and there is a check list right off of each and every hole that is put within the City of Pittsburgh. I think only then can we control, within this City, what is happening in the destiny of our roads within this City.

**Mr. Stone:**

Mr. Givens, I don't know if you are aware of it, I put into that budget last year, two utility inspectors. In addition to that, Lou Gaetano has been on notice and that he is part of this program with Pellegrini, you don't have to send him a letter, there is nobody more aware of it, with as many times as I have sat on him relative to this particular subject, this is going to end right now with the legislation. I guarantee you, if we have to hire an extra solicitor to stay in court every day with Equitable Gas to have them behave, it is going to happen.

**Mr. Givens:**

Well, Equitable is just one of the companies, there are several out there and I don't see --

**Mr. Stone:**

No, we're not going to discriminate against Equitable Gas, that's true, it is going to be a uniform delivery for all utilities within the City of Pittsburgh, but since Equitable Gas seems to be, perhaps, a leader, and scores a touchdown everytime they dig a hole, they are going to get a reward.

**Mr. Givens:**

And the alternative to that Mr. President is, these people do not do their job according to our specifications, then the City of Pittsburgh will do it and bill them.

**Michelle Madoff:**

Mr. President, it is my understanding we do have specifications, perhaps we ought to look into that.

**Mr. Stone:**

You're right, its all part of it.

**Michelle Madoff:**

Mr. Stone, do you recall the giggle we had in Council not too long ago —

**Mr. Stone:**

Which one?

**Michelle Madoff:**

The one about the people who, under law, Mr. Gaetano explained to us, that people who use the red flag just to wave down, you know, when they don't work on the railroads or the bridges, they have to pay this astronomical fee, but we have not control over it, and it was a fee, I said, "I'll take the job anytime, I'll wave a red flag", but there was nothing we could do to control it. I hope, in your legislation, you are including the concept of having somebody supplied, like all our contractors are supposed to be doing, say, when they work on Fifth Avenue, they are digging up and it becomes a hazard, they are to have some inspector there all the time handling the traffic. Maybe what we need to put into this legislation is an inspector built into any work that the utilities do where, as you say, if you've got holes ten feet apart, get your inspectors out, you make sure that those — whatever, those wooden things, those horses are not removed. It is not the City's problem that the horses are removed, it is the utilities' problem, and that they are responsible for seeing they are not removed by having their own inspectors there. Perhaps that might — you know, the cost effectiveness might expedite the way they work and that they don't dig up the holes twice. It might be something to include.

**Mr. Stone:**

Well, I think the most sensible way is the way we are doing it now, its

to pull the legislation out and make the changes that we have to.

**Michelle Madoff:**

Well, I hope you're going to let the PUC know.

Does everybody know about the seven water breaks, I presume you read the papers, in the East End of the City? We have an emergency Post Agenda on Wednesday and I think that is scheduled, is that right Mr. Perry? How many Post Agendas do we have Wednesday?

**Mr. Perry:**

Two, I believe.

**Michelle Madoff:**

It appears that the thing was brought about by the Shadyside Hospital losing pressure and as you know I pleaded with this Council and we put in a pressure valve foreman last year, do you recall Mr. Stone? In the Water Department? It seems that that gentleman is not just doing valves, and that is how we got into this mess, we don't know where our valves are, we don't know what the pressure is, we don't know what our lines will withstand and we'll hear more about that on Wednesday.

**Mr. Givens:**

Mr. President, I just have one more subject and that is the University of Pittsburgh game that was cut off on Channel 4, ABC Networks, this particular Saturday and in all of the years that I've been looking, I've never known them to cut off one of the top 10 teams, in fact, top 20 teams in the nation, especially the top 10 teams, and I know someone at the major network in New York made that decision from what



I've read and everything, but I would like our Chief Clerk, in behalf of this Council, to send a letter to ABC, New York, ABC, Channel 4, Pittsburgh, stating how the people feel about this particular entity. I mean, we have many loyal fans of Pitt's football team and they were all, most of them, including myself, were denied the opportunity to see that game through and you know, you can never get — the impact on this is that the various coaches and etcetera, throughout the land, pick who they feel is the number one ball team of this nation and Pitt can never get that number one acclaim if they cut us off at half-time. And that all of the Councilpeople sign that letter Mike, okay?

**The Chair:**

Well, obviously that was a slight, it was almost as bad as when they took the game off to put Heidi on. But seriously, that evening I know a lot of people were complaining and then a lot of letters that came in — pardon me?

**Mrs. Masloff:**

I liked Heidi better anyway.

**Mr. Stone** moved to approve the minutes of Monday, September 28, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mrs. Masloff:**

Mr. President, I move to adjourn this meeting and meet again on Tuesday, October 13, 1981 at 2:00 o'clock, p.m.

**Mr. Stone** seconded the motion.

Which motion prevailed.

And Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

TUESDAY, OCTOBER 13, 1981

No. 39

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAE...Asst City Clerk**

Pittsburgh, PA  
Tuesday, October 13, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

#### ABSENT:

Mr. Givens

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Michelle Madoff for Mr. Givens presented

No. 4036 Resolution providing for a contract/s or the utilization of existing contracts, for rehabilitation of various streets/park roads, with asphaltic, concrete or other materials, including regrading and recurbing within the limits of the City of Pittsburgh, also including work on private property and other work incidental thereto; and providing for the payment of the cost thereof, not to exceed \$500,000.

Which was read and referred to the Committee on Public Works.

Michelle Madoff moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. O'Malley seconded the motion.

Which motion prevailed.

Also,

No. 4037 Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of H. C. Leonard, situated at the intersection of Wvoming Street and Boggs Avenue, in the 19th Ward of the City of Pittsburgh.

Also,

No. 4038 Communication from Louis Gaetano, Director, Department of Public Works requesting interim approval of payment of \$6,364.39 to Anthony

Crane Rental, Inc., for rental of crane.

Also,

No. 4039 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$1,692.00 to Gal Construction, Inc., for extra work in connection with reconstruction of Franum Street Bridge.

Also,

No. 4040 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$17,592.98 for extra work in connection with widening and repaving street intersections at Spring Garden Chestnut Street area.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 4041 Resolution providing for the issuance of a warrant in favor of M. DePasquale, Inc., 4740 Wallingford Street, Pittsburgh, PA 15213, in the amount of \$24,760.00 in payment for the Installation of a 30" Gate Valve, chargeable to and payable from the 1980 Capital Budget Account No. WD 80-01 (4-05-12-1028-80).

Also,

No. 4042 Resolution providing for the issuance of a warrant in favor of Atlas Equipment Rentals, 4900 Rodi Road, P.O. Box 10631, Pittsburgh, PA 15235, in the amount of \$421.00, chargeable to and payable from Code Account No. 1705, Repairs, Department of Water, for the repair of two Homelite pumps.

Also,

No. 4043 Resolution transferring \$7,500.00 from Code Account No. 1708, Departmental Service Charges, to Code Account No. 1709, Refunds - Water Rents, Department of Water.

Also,

No. 4044 Communication from Richard Cosentino, Director, Department of Water, requesting that Bill No. 3432 of 1979 be rescinded since funds for waterline repair work - Royal Street, were provided by Resolution 812 of 1979, and the allocation set forth in Bill No. 3432 of 1979 is not required.

Which were severally read and referred to the Committee on Finance.

#### **Mrs. Masloff presented**

No. 4045 Resolution transferring \$6,345.00 from Project Code 4-10-05-1500-73 (BF 227-332) Phillips Park Recreation Building and Pool to Project Code 4-10-15-1720-81 (PR 81-33) Service Building Repairs.

Also,

No. 4046 Resolution authorizing the issuance of a warrant in favor of Nello Construction Company in the amount of \$875.53 in payment for work performed at Highland Park Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof, at a cost not exceeding \$875.53 from Project Code 4-10-05-1380-79 PR 79-05.

Also,

No. 4047 Resolution authorizing the issuance of a warrant in favor of Fred Kozel and Assoc. in the amount of

\$143.10 in payment for work performed at Olympia Park Recreation Building, furnished for the benefit of the City without previous authority of law and providing for the payment thereof.

Also,

No. 4048 Resolution authorizing the issuance of a warrant in favor of Demon Electric Company in the amount of \$1,306.98 in payment for work performed at Westwood Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 4049 Resolution providing for an Agreement/s or use of existing Agreements for architectural, engineering or other professional services in connection with the design of Paulson Pool and Bathhouse and providing for the cost thereof not to exceed \$2,300.00.

Also,

No. 4050 Resolution providing for a contract/s or the use of existing contracts for Concrete Construction at Various Locations including Fowler Park and Armstrong Park at a cost not to exceed \$5,000.00 from Project Code 4-10-15-0009-81 (PR 81-31).

Also,

No. 4051 Resolution amending Resolution No. 752, effective 8/10/81 entitled, "Providing for the letting of a contract/s or use of existing contracts for Renovation of the Frick Park Div. Building and providing for the payment of the cost thereof." by increasing the

amount provided from \$54,635.00 to \$60,980.00 from P.C. 4-10-15-1720-81 (PR 81-33) and P.C. 4-10-15-1720-80 (PR 80-24).

Also,

No. 4052 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting permission for Mr. Mancuso, to attend Congress of National Recreation and Park Society, Minneapolis, Minnesota, October 26-29, 1981, at a cost not to exceed \$750.00, payable from Code Account No. 1801, Miscellaneous Services, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 4053 Resolution providing for the issuance of a warrant in favor of Harry J. Blair, in the amount of \$356.25, in payment for numbering and repairing Police Badges, chargeable to Code Account No. 1447, Miscellaneous Services, Department of Police.

Which was read and referred to the Committee on Finance.

#### **Mr. Robinson presented**

No. 4054 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of 408-410 Eloise Street Block & Lot 23-K-97, in the Mexican War Streets Historic District, 22nd Ward.

Also,

No. 4055 Resolution providing for

Issuance of Certificate of Appropriateness for work on exterior of 24 Market Place, Block & Lot 1-D-124, in the Market Square Historic District in the 1st Ward.

Also,

No. 4056 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of 430 Market Street, Block & Lot 1-D-65, in the Market Square Historic District in the 1st Ward.

Also,

No. 4057 Resolution providing for the designation of certain districts and structures as being of Historic and Landmark Significance under Section 3 of Ordinance 20, approved July 30, 1979. (ALLEGHENY WEST)

Also,

No. 4058 Resolution providing for the transfer of \$455.00 from Code Account 1376 to Code Account 1379, Department of Housing, Bureau of Building Inspection.

Also,

No. 4059 Resolution approving a Conditional Use under Section 993.01(a) A 4 of the Pittsburgh Code, Title Nine, Zoning, for use of the property located on the northeasterly corner of Pearl Street and Corday Way by Mellon Bank as a parking area for nine automobiles, 8th Ward.

Also,

No. 4060 Communication from Paul Brophy, Director, Department of Housing, requesting permission to attend National League of Cities Congress of Cities and Exposition, Detroit, Michigan,

November 30 - December 2, 1981, at a cost not to exceed \$460.00 payable from HD 80-12.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

No. 4061 Resolution authorizing the Mayor to issue and the City Controller to countersign a duplicate warrant to the same payee and in the same amount to replace warrant lost, stolen or destroyed.

Also,

No. 4062 Resolution providing for the issuance of a warrant to Paula B. Young, Administratrix of the Estate of Richard W. Young, deceased, care of Clyde T. Macvay, Esquire, Evans, Ivory & Evans, 711 Frick Building, Pittsburgh, PA 15219, in the amount of \$30,000.00 in full settlement of a trespass action for the death of Richard W. Young, and providing for the payment thereof.

Also,

No. 4063 Communication from Ronald C. Schmeiser, City Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of August 31, 1981.

Which were severally read and referred to the Committee on Finance.

#### **REPORTS OF COMMITTEES**

##### **Mr. Stone presented**

Bill No. 4064

Report of the Committee on Finance for

October 7, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3743

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Peoples Natural Gas Company in the amount of Forty One Thousand Three Hundred Forty Dollars and Thirty Two Cents (\$41,340.32) for the City's share of materials furnished and work performed in accordance with the Public Utilities Commission Order of May, 1978, Elizabeth Street Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3744

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Duquesne Light Company in the amount of Six Thousand Eight Hundred Forty Two Dollars and Sixty One Cents (\$6,842.61) for the City's share of materials furnished and work performed in accordance with the Public Utilities Commission Order of May, 1978, Elizabeth Street Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3926

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of J-Jac Construction Co., in the amount of Thirty Two Thousand Six

Hundred Fourteen Dollars and Seventy Cents (\$32,614.70) in payment for 'Extra Work' furnished for the benefit of the City in connection with the repaving and widening of Fifth Avenue from Craft Avenue to S. Bouquet Street; and the providing for payment thereof."

Which was read.

Also,

Bill No. 3927

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sargent Electric Company in the amount of \$6,360.54 for the installation of electrical equipment in the Heth's Run Area, furnished without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 3928

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Jim McKain, Truck and Car Leasing, in the amount of \$1,712.68 for the rental of a van for Bridge Division personnel, furnished without previous authority of law and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3929

Resolution entitled, "Resolution transferring the amount of One Thousand (\$1,000.00) Dollars from Code Account 1534, Equipment, to Code Account 1530, Miscellaneous Services, both accounts within the Bureau of Engineering, Department of Public Works."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3934

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James C. Eastley, 801 Vinial Street, Pittsburgh, PA 15212, in the amount of \$987.44 in payment for the Installation of an Air Conditioning Unit at the Department of Water Meter Shop, 222 - 26th Street, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 3935

Resolution entitled, "Resolution transferring \$22,000.00 from Code Account No. 1798, Accounts Payable Prior Years - Water Department, to Code Account No. 1708, Departmental Service Charges."



Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3936

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of IKM-SGE in the amount of \$858.25 in payment for work performed at South Side Skating Rink, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3937

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedco, Inc., in the amount of \$13,611.00 in payment for work performed at Brookline Park and Pool,

furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 3938

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tomko Plumbing, Inc., in the amount of \$500.73 in payment for work performed at Broadhead-Fording Swimming Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3960

Resolution entitled, "Resolution

providing for an agreement or agreements with Allegheny County Department of Federal Programs for provision of certain services by City CETA staff, costs of such services to be reimbursed by Allegheny County Department of Federal Programs."

Which was read.

Also,

Bill No. 3961

Resolution entitled, "Resolution further amending Resolution No. 1589 of 1978, as amended by Resolution No. 1121 of 1979, Capital Budget, and Resolution No. 506 of 1981, by providing for an additional appropriation of \$5,000.00 for Project No. 4-70-25-0010-79 (CT-79-01) Capital and Community Development Accounting Expenses, Department of City Treasurer."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Mr. Givens presented

Bill No. 4065

Report of the Committee on Public Works for October 7, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3930

Resolution entitled, "Resolution further amending Resolution No. 596, approved June 27, 1979, effective July 2, 1979, as amended by Resolution No. 807, approved August 19, 1980, effective August 25, 1980, as amended by Resolution No. 143, approved February 13, 1981, effective February 24, 1981, entitled, 'Providing for an Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation, for design, right-of-way acquisition and construction reimbursement to the Commonwealth in connection with the Noblestown Road slide correction (PW 79-03), and providing for the payment of the cost thereof,' by increasing the project allocation by Thirteen Thousand Three Hundred Thirty Seven Dollars and Fifty Cents (\$13,337.50)."

Which was read.

Also,

Bill No. 3931

Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the

investigation of Bridge Inspection Truck (HS 701) accident; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3932

Resolution entitled, "Resolution providing for the taking of property in the the 8th Ward, City of Pittsburgh, owned by Louis J. Impavido and Eleanor Impavido, his wife, for the reconstruction of the Bloomfield Bridge and approaches and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 4066

Report of the Committee on Planning, Housing & Development for October 7, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3892

Resolution entitled, "Resolution amending Resolution No. 983, effective October 16, 1980, entitled, 'Providing for an Agreement or Agreements with the Pittsburgh Neighborhood Alliance for the implementation of the Communities Combatting Crime in various Community Development Block Grant Neighborhood Revitalization Areas in the City, so as to increase the amount of funds to cover a time extension of the original agreement.'" (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 3948

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 608 N. Taylor Street, Block and Lot J-203, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 3949

Resolution entitled, "Resolution providing for the Issuance of a

Certificate of Appropriateness for work to be done on the exterior of 1233 Filson Way, Block and Lot K-78A, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 3950

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1218 Monterey Street, Block and Lot J-268, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 3951

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1239 Resaca Place, Block and Lot J-246, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 3952

Resolution entitled, "Resolution providing for an amendment to the 1981 Community Development Funding Approval Agreement with the U.S. Department of Housing and Urban Development in connection with the Section 108 Neighborhood Business Revitalization Demonstration Program; designating the Urban Redevelopment Authority of Pittsburgh as Grantee to

receive the loan guarantee under said Program; further providing for an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, for administration in connection with said Program."

Which was read.

Also,

Bill No. 3953

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Alvin J. and Agnes C. Kopcie for the sale of Block 9A, Lots 176, 178, 179, 182, 183, 184, 185, 186, 188, 189, 190, 191, 191A, 192, 192A, 193A, 194, 194A, 209, 212 and 213 in the Twenty-Third Ward of the City of Pittsburgh in Redevelopment Area No. 39."

Which was read.

Also,

Bill No. 3954

Resolution entitled, "Resolution approving execution of contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the listed redevelopers for the sale of the listed properties in the Twenty-Fifth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3955

Resolution entitled, "Resolution authorizing the Urban Redevelopment

Authority of Pittsburgh to acquire that property in the 32nd Ward of the City of Pittsburgh owned by Associated East Mortgage Company, and designated as Block and Lot Numbers: 138-N-9, 23, 1, 8, 40, 56, 70 and 100, 138-J-22, 31, 33, 122, 136, 142, 146, 180, 220, 260, 139-M-260, 292, 320, 322, 324, 326, 327, 328, 330, 332, 338, 343, 354, 355, 359, 362, 370, 373, 374, 139-S-136, 140, 141, 146, 148, 178, 188, 193, 194, 195, 198, 199, 211, 212, 214, 216, 217, 220, 223, 226, 227, 230, 233, 240, 269, 272, 274, 280, 286, in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 3956

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the city's right, title and interest, if any, in and to the City owned property in the 12th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot 125-A-125, under the Industrial Land Reserve Fund."

Which was read.

Also,

Bill No. 3957

Resolution entitled, "Resolution providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the administration of the Parkway Center Shopping Mall Urban Development Action Grant Project; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3958

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to deliver Twenty Thousand Eight Hundred Twenty-Five (\$20,825.00) Dollars in the form of a grant to Horn Brothers, Inc., from the Neighborhood Housing Fund for structural and foundation repair work to be performed at 519 Armandale Street, located on the North Side, in the Twenty-Fifth (25th) Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES #

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 4067

Report of the Committee on Parks and Recreation for October 7, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3939

Resolution entitled, "Resolution transferring (within the Capital Budget) the sum of \$9,257.95 to Project Code 4-10-15-1760-73 (BF 227-305) Professional Architects/Engineers - Various Locations from Project Code 4-10-07-1430-61 (BF 197-30) Architectural Services - Allegheny Ballfield."

Which was read.

Also,

Bill No. 3941

Resolution entitled, "Resolution amending Resolution No. 1058 of 1980 entitled, 'Providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with various facilities including Schenley Park Skating Rink and Frick Park Nature Center and providing for the payment of the cost thereof', by increasing the total amount from \$24,484.65 to \$33,742.60."

Which was read.

Also,

Bill No. 3942

Resolution entitled, "Resolution amending Resolution No. 1430 of 1980, as amended by Resolution No. 505 of 1981 and Resolution No. 829 of 1981 by transferring the appropriation amount of

\$15,000.00 from Project No. PR 81-36, 4-10-15-1760-81 Engineering Service Contracts in the Department of Parks and Recreation and the appropriated amount of \$20,000.00 from Project No. PR 80-21, 4-10-10-1635, Highland Park Picnic Shelter in the Department of Parks and Recreation to Project No. PR 81-14, 4-10-05-1480-81, Security Lighting and Energy Conservation Replacement in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 3943

Resolution entitled, "Resolution providing for a Lease or Leases and/or License Agreements for the use of certain property for Senior Citizen Facilities in an amount not to exceed \$55,000.00."

Which was read.

Also,

Bill No. 3944

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the construction of Volunteers (Carrick) Ballfield and related facilities; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3945

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the construction of Hays Playground; and

providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 4068

Report of the Committee on Public Safety for October 7, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation.

Bill No. 3795

Resolution entitled, "Resolution amending Resolution No. 1151, approved November 10, 1980, effective November 14, 1980, entitled, 'A Resolution

providing for a contract or contracts for the design and construction of an addition to the Pittsburgh Police Academy and the construction of a new Canine Training facility located at Washington Boulevard at Negley Run Road; and providing for the payment thereof." (AS AMENDED IN COMMITTEE)

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES 1  
(MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**Michelle Madoff:**

Mr. President, I have just had this resolution quickly re-typed to make some corrections.

**Michelle Madoff presented**

No. 4069 WHEREAS, a number of pizza establishments in our city also serve alcoholic beverages; and

WHEREAS, a large percentage of their clientele are below the state's legal drinking age; and

WHEREAS, this exposure and easy access to alcoholic beverages is a threat to the health and safety of all involved.

NOW, THEREFORE

BE IT RESOLVED that the members of the Council of the City of Pittsburgh hereby urge the Pennsylvania Liquor Control Board to deny the issuance of additional liquor licenses to pizza establishments when existing problems will be exacerbated as indicated by the local police station; thus decreasing the opportunity for underage drinking, which is a hazard to the health and safety of our citizens.

Which was read.

**Michelle Madoff** moved for adoption.

**Mr. Robinson** seconded the motion.

**Michelle Madoff:**

Mr. President may I discuss that? On Saturday night I had an evening out with some friends and on my way home I was picking up some items at Rhoda's on Murray Avenue and there was a riot. I had not called the police but I would have. There was a game between the McKeesport High School I guess and the Swissvale High School at the Swissvale, I guess, school area, and the youngsters headed for the pizza parlors on Murray Avenue. In addition to the litter that was created for six blocks, the hundreds of kids, or young people that were gathered both on Murray Avenue, on both sides of the street, obstructing people from walking by, it was a fire hazard in the stores, and the youngsters in the lots smoking pot, and they started a riot and Number 6 Police Station was

there. It was a terrible, terrible situation. One of the pizza parlors on that street, and I understand that I am privileged as an individual, I do not speak for Council, but as an individual since I live in the community, I will personally be at the hearing on October 27th, it is a postponed hearing, Mineo's is asking for a liquor -- a beer permit. I think it is hazardous to our youth who are going to hurt themselves driving home, I saw a young man open his car in front of the pizza parlor and as his door opened he knocked a young man off his bicycle, the young man fell on his arm, broke his arm. The whole thing is inane to continue without having a voice, we are the legislators and we certainly ought to be heard.

In addition, I went into a pizza parlor three or four doors down and the gentleman there had two huge garbage pails, the kind you would have outside your home, and the litter in front of his place was practically nonexistent. I went back to Mineo's and asked them why they didn't have something of a similar nature, he had two little tiny wastebaskets and he said, "You can't tell me what to do in my place of business". Well, maybe we can't tell him what to do in his place of business, but I for one, and the people that were standing on the street, are sick and tired of our tax dollars going for the litter created by that problem and I think long before I thought of addressing this issue and was confronted with it, Councilman Woods did address this problem of easily accessible litter going from vendors who are I guess, stationed permanently or not permanently Mr. Woods? Did your bill address permanent or portable? Portable?

**Mr. Woods:**

Permanent.



**Michelle Madoff:**

Permanent, but there are some portable ones too. But this is practically -- all they did was put a piece of glass up, but it is exactly what Mr. Woods is addressing. Now, I just want to go on record and hope that this Council would go on record, that when you have those kind of problems, and I don't want to be the one and I don't think Councilmembers should be the ones to say whether there is a problem in that area or not, but Number 6 was patrolling that whole area for hours. We have better things to do with our Police Department, and I would like to have this Council go on record as opposing any further liquor licenses or beer licenses in areas that already have problems, known problems.

**The Chair:**

Michelle, no doubt fast food places, including pizza parlors contribute to the filth in the City of Pittsburgh -- I don't patronize fast food places, including pizza places for that matter, but it strikes me that pizza parlors -- very few have liquor licenses or beer licenses.

**Michelle Madoff:**

I thought so too, I just found out --

**The Chair:**

I mean just in passing -- in fact, hardly any fast food places, MacDonalds, what have you, I doubt if any of them have liquor licenses, do they?

**Michelle Madoff:**

Mr. President, fast food people are probably the cleanest as far as cleaning up in front of their places, I had a few --

**The Chair:**

Well, its the old story, they will clean up one minute, and the next minute somebody else will dirty it, you understand I am not faulting them for that. I'm only saying that I'll go along with the resolution, I imagine most of Council will, but I don't think there are that many pizza parlors that have liquor or beer licenses.

**Michelle Madoff:**

Well, the other item, just to digress for a moment, is that the litter problem is one that has to be addressed by the person who is putting out the goods. Perhaps at some point this Council is going to have to look towards putting a fee on all -- raise the price of your product so you can have somebody out sweeping four times a day. Mr. Mineo screamed at me and said, "I sweep out here every morning", well, as you said, if you have 100 kids there two hours later, 200 kids there an hour later, its going to be a pig sty unless we station a policeman there.

Now it seems to me that my friend has a son who works for the famous hot dog place in Oakland and they have their own security guard. Now, if something has to be done, the taxpayers can't always go in their pockets to pay for the litter of the City, this is insane.

**Mr. Stone:**

Mr. President, if I may, relative to this bill, I don't think any legislative body should be passing a bill that in and of itself, and in the bill is illegal. I don't know how we can say that we don't want an applicant who starts off being a pizza establishment to have the opportunity to comply with the liquor rules and regulations to get a license. Anyone, no

matter what kind of business they run before, has a right to get a liquor license, if, after they get the license, they intend to comply with the license. It is not what you were before, it is what you are going to be and how you are going to regulate yourself once you get a license. For us to say in that bill that the liquor board should not give licenses to pizza parlors, what next? Hamburger joints? Hot dogs? Bowling alleys?

**The Chair:**

In fact Mr. Stone, aren't you saying that the same thing goes on in bars today, there are some bars that are run properly and others improperly, you can't say prohibit all licenses because some of them don't adhere to the law.

**Mr. Stone:**

I will agree that the Liquor Board has made a lot of mistakes in who they have given licenses to, but you can't come out on record and say that you don't want this kind of establishment to get a license. I think it is wrong for us to do that.

**The Chair:**

Its sort of discrimination.

**Mr. Stone:**

It is obviously discriminatory on its face.

**Michelle Madoff:**

Mr. President, this is not an ordinance, so I think Mr. Stone is misconstruing it as law, it is only the will of this Council. The whole Squirrel Hill, 14th Ward, 15th Ward and Swissvale area is up in arms and they are going to be there to oppose this particular license and I think other members of Council are

aware of it and I stated very clearly in my ordinance, that is why I went and re-typed it, because I worked with Mike on it this morning, there wasn't enough time to review it, that only when the police have said there is already a problem, should we go on record saying we don't want problems for our citizens, and if that isn't our role, we ought not to be re-elected.

**The Chair:**

Yes, but in that instance they are opposing, there may be other pizza parlors that apply for license that won't be opposed.

**Michelle Madoff:**

Fine, but this one is already at the Number 6 station there all night.

**Mr. Flaherty:**

Michelle, would you open for the idea of an amendment that would name the specific shop that is causing all the problem? I believe that that would possibly clarify the issue more and really hit the nail on the head.

**Michelle Madoff:**

Well, I spoke to my attorney over the weekend about this matter and I asked him whether I was privileged to name the source, whether I was subject to a liable suit and he said I was not because it is just my own personal opinion, and as my personal opinion, I think this owner has shown bad faith and bad will to the community and I am only saying that anywhere this could happen and maybe people don't know about Council, maybe people don't know about Council, maybe they are not members of Council, where this could re-occur again, where people are causing havoc in a community, so I broadened it and didn't

name the place, but I did name it in my presentation, to say how I stumbled on this concern that I have.

**Mr. Flaherty:**

Well, would you want to --

**Michelle Madoff:**

Yes, I would certainly be happy to change it to Mineo's, that this Council go on record that the hearing is the 27th, it has been postponed and that we go on record, it is only a resolution, that is the will of this Council, that Mineo's be denied because of the disturbances, because of the police who will substantiate for Number 6, for the problems that they are having, that we deny them -- that we ask that the Liquor Board not give them a permit.

**Mr. Flaherty:**

I'll second that motion.

**The Chair:**

Okay, you heard the amendment, you've heard the second, Mr. Robinson.

**Mr. Robinson:**

Before we vote on it, I would just like to indicate that I still second the resolution as it was originally presented. I think it would be inappropriate --

**The Chair:**

We will withdraw the original resolution and the second.

**Mr. Robinson:**

I think it would be inappropriate, given legal action is pending, for this Council to name a specific business. My

reason for seconding the original resolution is that I am opposed, philosophically, to the whole notion that teenagers should be given access to alcohol and that business establishments should be allowed to dispense alcohol where there is a likelihood that teenagers that might consume the alcohol. I also have some serious concerns about the proliferation of establishments that are licensed to dispense alcoholic beverages. I would not be, myself, in favor of supporting any resolution that singles out any establishment at this point because I think it is a general problem. I think Mrs. Madoff is right on target in terms of trying to identify that general problem, but I have some reservations on supporting any resolution that specifically names a party.

**The Chair:**

Bill, are you willing to withdraw your first motion?

**Michelle Madoff:**

I would be happy to have two resolutions. Mr. Robinson could vote against one and we could vote aye on the second.

**The Chair:**

Wait a minute, first of all, we are either going to have the resolution, the amendment to the resolution -- now, do you want the first resolution to hold, and the second, or do you want the amendment to carry?

**Michelle Madoff:**

Mr. President, I don't think that I know everything, and I am willing to listen to other members on Council and I have heard two different opinions. I think Mr. Stone voiced an opinion which I

disagree with, respectfully, that he is labeling this a law and I am only saying, it is just a --

**The Chair:**

If I may make a suggestion, I think you have a much better chance of your first resolution getting through. When you start naming names --

**Michelle Madoff:**

I will stay with my original resolution sir.

**The Chair:**

Okay, the original resolution is seconded, now, discussion.

**Mr. Woods:**

If we start naming names, I am sure that all of us get around the city enough that we all know that there are bars and problem areas, that we are all going to have citizens coming to us saying, "Hey, pass a resolution naming so-and-so bar as a bad place and we want the police to check it out" and do all this, we are going to be flooded with that type of thing. I think it is a grave mistake to have a resolution naming any particular establishment.

**Mr. Flaherty:**

Mr. President, in response to that, the reason that I brought up the idea of using the specific name is I believe that Councilman Stone presented a concise argument, I think when we tend to present a resolution that is carte blanche that is going to cover all pizza establishments, I think we are getting a little out of line. I believe that there was a precedent set a few years ago in regard to the Fantastic Plastic Club which went numerous times in front of

the L.C.B. to acquire a license and I know that the Mayor of the city at the time, and certain members of Council were publicly opposed to any consideration for the Fantastic Plastic Club and I believe that the problem with the pizza shop in the Squirrel Hill area is just as comparable of a problem as Fantastic Plastic was for the people, for the majority of people in the Oakland - Shadyside area.

**Michelle Madoff:**

Mr. President, may I make a comment and very quickly -- we have not had a bill here that has had opposition, whether it is the Greentree Shopping Center, or another shopping center, there is a big note on my desk this morning, that is going in in Oakland, and another shopping center somewhere, where they don't name the facility and where people don't come to us Mr. Woods, and say, "Hey, I want you to take a stand on this specific issue", whether it is the Women's Shelter, or whether it is a liquor store or whether it is -- unfortunately, or fortunately, when you take on the job of Councilmember, you are going to be inundated by people saying, "Hey, I want you to pass that", and I think you have to use good judgement. I think it is good judgement for me, to personally name that person, just go on record as an individual saying I am going to oppose this particular facility, but I think Mr. DePasquale has a point and Mr. Stone has a point and I think the issue is broader than --

**The Chair:**

I think your resolution, Michelle, is rather clear, you don't think pizza parlors should have liquor or beer licenses and as Mr. Robinson said, they could contribute to the delinquency of minors, so why don't we vote on the resolution?

**Mr. Woods:**

Well, I'd like to say something first. I think Michelle misunderstood me. I do accept my responsibility as a Councilman, and I know it well -- and I know it well. What I was referring to was that I know enough rough spots in this city, and I have been in them, that I will have every decent person in this city saying to me, "Pass a resolution against this particular establishment", that is what I am saying, and I will not sit here and vote for any resolution that names any particular establishment.

**The Chair:**

Well, we are beyond that, we are back to the first resolution.

**Michelle Madoff:**

We're back to the original resolution, but Mr. Woods, it would be marvelous if you'd come to this Council and name some of those places and maybe we could exert some pressure if something does happen. I stick with my original resolution.

**Mr. Flaherty:**

I withdraw my second on the amended resolution.

**Mrs. Masloff:**

I would just like to mention that I am opposed, of course, to more liquor licenses or more bars, or beer being sold to people, but I know for a fact that the people in this particular neighborhood are up in arms about this particular establishment getting a beer license. They will oppose it and I think that this is superfluous, I think that the Liquor Control Board will take into consideration the wishes of the people in the neighborhood, but because I am

opposed to more beer licenses, of course I'll vote for it, but I think the bill is superfluous. The neighbors and the business people in that neighborhood will not allow it.

**Mr. O'Malley:**

I'd just like to say that I think the resolution as it is written and presented to this Council is too general, I am voting no.

**The Chair:**

Is there any further discussion on the resolution?

And on the question, "Shall the resolution pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6                      NOES 2  
(MR. O'MALLEY AND MR. STONE  
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. O'Malley presented**

No. 4070      WHEREAS, Lupus Erythematosus is a chronic, tuberculosis skin disease crippling women of child bearing age; and

WHEREAS, public education and understanding is needed to combat this dreaded disease; and

WHEREAS, little is known about the origin of cure of the disease, but what is known is that every organ can be affected including the heart; and

WHEREAS, October 18-24 is National Lupus Week.

NOW, THEREFORE

BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh declare October 18-24, Lupus Awareness Week in the City of Pittsburgh.

Which was read.

**Mr. O'Malley** moved for adoption.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. O'Malley:**

I would like to Mr. Danny Pietragallo come forward to receive this resolution and say a few words.

**Mr. Pietragallo:**

Mr. President, members of Council, ladies and gentlemen, it is indeed a pleasure to receive this proclamation from the Mayor and from the members of Council for such a worthy cause. I have become involved because I have had some personal involvement here and I look at people like Miss Pat Porch and Gretchen Glenworth who work so ardently trying to convey a message to people, to people of this country and to people of this world, the problems that one can have with the Lupus disease. From the 19th through the 25th, Lupus Awareness Week, it isn't so much that this organization is trying to get funds, although they need funds, their main concern is that people will have an

understanding and an awareness of what this disease can cause and hope that they can get them to a physician for examinations before it gets beyond the point of help.

I am a well member and it is my pleasure to serve with these women and I would like to defer to Pat Porch, who is the Co-chairperson with me this year in the Lupus Awareness Week, and also to Gretchen, let them tell you a little bit, they deserve the praise because it is just heartwarming to see the amount of effort put in by women like them and some of them afflicted with the disease. Thank you so very kindly.

**Ms. Porch:**

Thank you very much. This is becoming an annual affair, almost like turkey and mistletoe, but we are very grateful for your support in giving us this proclamation and thank you very much.

**Ms. Glenworth:**

I have a poster which I am going to leave for you to look at, we have two thousand of these posters all over Western Pennsylvania and we are hoping that people will learn more about Lupus and support us. I do want to say I don't know what we would do without Dan Pietragallo, he's our angel. Thank you.

**The Chair:**

We certainly wish Dan Pietragallo and the ladies well in their endeavors, it is a great cause. Mrs. Porch and I are long-time friends, something like 30 years and it is good to see her again.

**Mr. Robinson presented**

No. 4071 WHEREAS, hunger and chronic malnutrition remain daily facts of life for hundreds of millions of people

throughout the world; and

WHEREAS, over 48,000 residents of Allegheny County experience hunger annually; and

WHEREAS, although progress has been made in reducing the incidence of hunger and malnutrition in the United States, certain groups notably among native Americans, migrant workers, single parent families, and the elderly, remain vulnerable to malnutrition and related diseases; and

WHEREAS, the world hunger problem is critical to the security of the United States and the international community; and

WHEREAS, a key recommendation of the Presidential Commission on World Hunger was that efforts be undertaken to increase public awareness of the world hunger problem; and

WHEREAS, the 147 member nations of the Food and Agriculture Organization of the United Nations designated October 16, 1981, as "World Food Day" because of the need to alert the public to the increasingly dangerous world food situation; and

WHEREAS, Hunger Action Coalition is celebrating World Food Day throughout Pittsburgh as a means to inform people of food, nutrition, and hunger issues.

NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh on behalf of the Citizens of Pittsburgh does recognize October 16, 1981 as World Food Day in the City of Pittsburgh.

**Mr. Robinson** moved for adoption.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President, Miss Betsy Killough is here from the Hunger Action Coalition to accept the gold seal resolution from the Clerk and I believe she has a few comments.

**Ms. Killough:**

Mr. President, members of Council, ladies and gentlemen, on behalf of eight anti-hunger organizations I'd like to thank Council for this proclamation and I would like to thank Councilman Robinson for his continued support of our work and I would like to invite you all to our festivities on the steps of this building Friday at 11:30 a.m. Thank you.

**The Chair:**

Thank you dear. Congratulations and I hope you noticed that Council isn't doing too much starving.

**Ms. Killough:**

Mr. President?

**Michelle Madoff:**

What do you mean? I lost 15 pounds.

**The Chair:**

Outside of Michelle, but that is her natural weight.

**Michelle Madoff:**

Mr. President, I have another item. Many members of Council may have read an article that appeared, I believe over the weekend or while we

were out of session and I had touched on it very briefly, but unfortunately it took place, I believe, Wednesday, as a Post Agenda and the only persons here I believe were Mr. Stone, myself and I think one other, I'm not sure, with reference to having the thought of a Water Authority, the concept of a Water Authority to be placed on a ballot for referendum. Unfortunately, the Director, Mr. Cosentino was not present and I've had a chance to discuss the situation with him. It appears that the Administration has been thinking about going to a Water Authority, they are thinking about it as you may have read in the papers, a 15% increase in water rates. Personally, as the head of the Water Committee I felt that not only should I have been informed, but if we are thinking about that kind of thing, I believe the public should be in on it from the beginning, it is sort of the public's right to know. But what I further learned and what we were told on Wednesday, is that of the 35,000 to 40,000 valves in the City we have only one percent of the valves checked, two people doing them, and those two people have to do other jobs. But I couldn't quite understand what the difference between taking the money out of our operating budget, the surplus money, or forming an authority, what the difference was, and what I have learned is that we have never done an estimate of the cost of actually producing our water, maintaining our water supply for the city and the people we sell it to, and we have also not included the cost of the bond issue which is paid for by the taxpayers, above that of the cost of our water, and particularly the maintenance of the lines, so while we all pay a cost of our water, and the rest of the money goes into the General Fund, we then draw a bond and the taxpayers of this city pay for the bond, but perhaps a lot of users of industry who are using our water are not paying those costs.

Perhaps a good example, because I certainly don't want another Conrail, is ALCOSAN, which is in the black, and runs, you would agree, a very efficient entity, wouldn't you say Mr. President? They are in the black, and I don't think the cost is out of line. Now, there is some thought of increasing prices and I think if we are going to do that, the public ought to have some concept of what is involved. I've been told that if your water rate is \$75.00 a year it might go to \$150.00, but if we don't do that, the other thing I've been told by the Director is that five or six years down the pike, or three or four, he doesn't know when, many of our lines are not even on schematics, we don't know where they are, where they were put in before the city took over the Water Department. The seven breaks are only indications, its like having a bypass, a heart bypass, but when you open up you find you've got six others or a rotten artery. We don't know that those lines are in themselves, once we get into bad weather the whole lines are going to go, and he predicts that within five to six years we are going to have to have a crash program and the burden on the taxpayers for that crash program is going to be astronomical, so that we had better face up to it now in this year of our Lord, 1981, approaching 1982 budget, and we are going to have to think of some ways of solving the problem.

I have also learned that, you know, I was after the — aggressively selling water to suburban communities. We have a number of communities that are interested, have shown great interest in buying water, however, a memo goes from Director Cosentino to Mr. Whitmore, three months later Mr. Whitmore sends a memo back to the Director saying, "Well, give me a little more information", then that goes back to Whitmore and it goes back to the community and then three months later



there is a little discussion. What we need is some real leadership, a concentrated, aggressive program to sell our surplus water and we certainly need a study to determine what the actual cost of producing water to the taxpayers of this city is when we pick up the bond costs on the capital bonds and I am doing some further investigation of this, but this came from the Water Department, from the Director, and I wanted to share that with Council.

**The Chair:**

Thank you.

**Mr. Stone:**

Mr. President, on another matter if I may, I just returned from Los Angeles and I stopped in New Orleans yesterday. I had an opportunity to help the Wind Symphony get down there through a friend on their City Council, Sydney Bartholomew. They got involved then with the International Trade Mart and the Wind Symphony Barge is right there on the river in New Orleans. I had an opportunity to see the whole show and the kind of participation taking place. During the course of the program I was given an opportunity to express some words on behalf of the City of Pittsburgh, then after that I came up as the people were leaving, it was utterly fantastic how many compliments, they had recognized me from the stage and thanked the City of Pittsburgh for what they had done in sending this group down there, but I think one of the most interesting things, aside from an excellent program that Mr. Robert Boudreau had put on, was the closing of the whole show, after it was all over, the people applauded, gave them a standing ovation and then said thank you, but closed this way: Thank you Pittsburgh. I was never more impressed than I was with what the Wind Symphony was doing

there yesterday, they did an excellent job, they were well received by New Orleans and I think that Mr. Boudreau and all of the young people, the musicians that are performing there have done an excellent job. We had an opportunity as well, to thank the corporate sponsors both here and there, who made it possible for them to be there, but I think anyone who had anything to do with the Wind Symphony should be joyous about their appearance in New Orleans yesterday.

**The Chair:**

Thank you Mr. Stone.

**Michelle Madoff:**

Mr. President, before you close, I think everyone might want to know, they have not read their mail yet, there is a letter from Patrick McNamara, it was just on the front desk and probably haven't had a chance to see it, but there was a summary in this morning's paper, "FOP Chief Criticizes New Police Deployment", I know that Councilman O'Malley will be addressing the problem, will come back with some further information, but he goes on to talk about the fact that we are not going to have enough police again, we need some police patrolling and I certainly support what Councilman Stone has said, if you are going to have a convention center, you'd better give adequate police protection.

**Mr. Stone** moved to approve the minutes of Monday, October 5, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Woods** moved to excuse Mr. Givens for absence from this meeting.

**Mr. Robinson** seconded the motion.

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Which motion prevailed.

And on motion of **Mr. Woods**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, OCTOBER 19, 1981

No. 40

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President

**MICHAEL PERRY** .....City Clerk

**WILLIAM F. McCRAE**...Asst City Clerk

Pittsburgh, PA  
Monday, October 19 1981

#### PRESENT:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

#### ABSENT:

Mr. Stone

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 4072 Resolution transferring \$130,000.00 from C.A. #57, Social Security Fund to C.A. #1362-2, Electric Current, Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Also,

No. 4073 Resolution repealing Resolution #863, approved 8/25/80 which repealed Resolution #573, approved 5/30/78, for the sale of a 2 story brick house, 7505 Finance Street, 13th Ward, 175-B-246-A, to Willie Lee Boykin, Etux, for the sum of \$850.00. Resolution is to repeal Resolution No. 863 and reinstate Resolution No. 573.

Also,

No. 4074 Resolution amending Item (B) of Resolution #1397, approved 12/31/80 for the sale of a 2 story frame house at 231 Brereton Street, 2nd Ward, Block & Lot 25-P-57, to George McFall, for the sum of \$1,500.00. Amendment is to correct the Plan lot no.

Also,

No. 4075 Resolution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 4076 Resolution granting unto the Oliver Tyrone Corporation, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, an electrical vault in a portion of Fort Pitt Boulevard, near Chancery Lane in the First Ward of the City of Pittsburgh.

Also,

No. 4077 Resolution granting unto Mr. Stephen A. Alber and Arthur V. LoCasale, in the 17th Ward of the City of Pittsburgh, their successors and assigns, the privilege and license to continue to maintain and use, at their own cost and expense, for the duration of the present structure, that portion of 52 South 12th Street encroaching on Bedford Square.

Also,

No. 4078 Resolution further amending Resolution No. 1269 approved November 3, 1978, effective November 6, 1978, as amended by Resolution No. 1411, approved December 14, 1978, effective December 19, 1978, entitled, "Providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the preliminary design for replacement of the Bloomfield Bridge; and providing for the payment of the costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation", by decreasing the project allocation by \$18,906.37.

Also,

No. 4079 Resolution amending

Resolution No. 1068, approved 10/2/78, effective 10/4/78, entitled, "Providing for a Contract/s in connection with the demolition and replacement of the Elizabeth Street Bridge; and providing for the payment of the costs thereof", by decreasing the total project allocation by \$140,741.61.

Also,

No. 4080 Communication from James N. Walker, Director, Department of Environmental Services requesting permission for Robert Lewis and Phyllis Gibson to attend Pennsylvania Vector Control Association Annual Meeting, Boiling Springs, PA, October 29-30, 1981 at a cost not to exceed \$500.00, payable from Rodent Control Program Account, Department of Environmental Services.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 4081 Resolution providing for the issuance of a warrant in favor of Scott Brothers Equipment, Inc., R.D. #1, Box 200, Coraopolis, PA 15108, in the amount of \$2,504.21, chargeable to and payable from Code Account No. 1705, Repairs, for repair of back-hoe loader.

Which was read and referred to the Committee on Finance.

**Mrs. Masloff presented**

No. 4082 Resolution authorizing the issuance of a warrant in favor of Thomas DiDiano Construction, Inc., in the amount of \$5,700.00 in payment for work performed at Westwood Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof. (PC

Also,

No. 4083 Resolution authorizing the issuance of a warrant in favor of Andrew Metz Plumbing in the amount of \$412.85 in payment for work performed at Manchester Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof, Project Code 4-10-05-1320-75-31-75-10, 75CDPR Swimming Pools).

Also,

No. 4084 Resolution providing for issuance of a warrant in favor of Westinghouse Electric Corporation for emergency repairs of electric walk in the amount of \$3,452.44 for Parks and Recreation, furnished to the Pittsburgh Zoo without previous authority of law, payable from C.A. 1856, Repairs, Zoological Park Commission.

Which were severally read and referred to the Committee on Finance.

Also,

No. 4085 Resolution transferring \$20,000.00 from P.C. 4-10-05-1490-78 (PR 78-17), Light Langley Field to P.C. 4-10-05-1480-81 (PR 81-14) Security Lights and Light Replacement.

Also,

No. 4086 Resolution repealing Resolution #1057, effective 10/23/80, entitled, "Providing for an Agreement or Agreements for architectural, engineering, or other professional services in connection with the design of the South Side Skating Rink Roof and providing for the payment of the cost thereof", not to exceed \$50,000 from P.C. 4-10-01-1335-80 (PR 80-34).

Also,

No. 4087 Resolution repealing Resolution No. 146, approved February 13, 1981, effective February 24, 1981, entitled, "Providing for agreements for personal or professional services and for a contract or contracts, or use of existing contracts for implementing the Neighborhood Festivals Program and providing for the payment of the costs thereof", Code Account 1837 - \$4,000.00.

Also,

No. 4088 Resolution amending Resolution No. 222, approved March 3, 1981, effective March 12, 1981, entitled, "Providing for an agreement/s with part time, as needed, Community Education Instructors in connection with the 1981 Recreation Program and providing for the payment of the costs thereof, not to exceed \$3,000.00", by increasing the authorization from \$3,000.00 to \$4,200.00.

Also,

No. 4089 Resolution providing for a contract/s or use of existing contracts for security lights, lighting replacement and major repair of existing electrical services at various locations including Clemente Park; and providing for the payment of the cost thereof not to exceed \$20,000 from P.C. 4-10-05-1480-81 (PR 81-14), Security Lights and Lighting Replacement.

Also,

No. 4090 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$2,000 for extra work in connection with Schenley Park Ice Rink compressor replacement and refrigeration piping

renovations, Controller's Contract No. 25371.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 4091 Resolution transferring the sum of \$10,000 from Code Account 1422, Supplies, Emergency Medical Services, to Code Account 1421, Miscellaneous Services, Emergency Medical Services.

Which was read and referred to the Committee on Finance.

Also,

No. 4092 An Ordinance amending the Pittsburgh Code, Title Eight, Fire Prevention, Chapter 801, Adoption and Enforcement, by amending Section 801.09, Violation and Penalty, by changing certain fines.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 4093 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 16th and 25th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 23-E-65, 154, 156, 157, 158, 159, 31-E-131, 135, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4094 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by heirs of Orlando Cecil Thornton, deceased, or properly appointed fiduciary of Estate of Orlando Cecil Thornton, deceased and designated as Block and Lot 23-F-130 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC and the Planning Commission of the City of Pittsburgh

Also,

No. 4095 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Lucille Carter and designated as Block and Lot 23-E-155 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4096 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by R.R. Dice, trading as G.A. Dice and son and designated as Block & Lot 23-F-379 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4097 Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by George Smith and Inez Smith,

his wife, and designated as Block and Lot 23-F-397A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4098 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Richard P. Guajardo and designated as Block & Lot 23-F-303 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4099 Resolution authorizing the URA of Pittsburgh to acquire that property in the 20th Ward of the City of Pittsburgh owned by West End African Methodist Episcopal Zion Church and designated as Block and Lot 19-H-185 in the Deed Registry Office of Allegheny County, under the RLRF, said property having certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4100 Resolution authorizing the URA of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by John F. Hall and Elizabeth Hall, his wife, and designated in the Deed Registry Office of Allegheny County, under the RLRF, said property having certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of

Pittsburgh.

Also,

No. 4101 Resolution authorizing the URA of Pittsburgh to acquire that property in the 12th Ward of the City of Pittsburgh owned by Jackson T. Wright and Lillian Wright, his wife, and designated as Block and Lot 173-K-30 in the Deed Registry Office of Allegheny County, under the RLRF, said property having certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4102 Communication from Robert Lurcott, Director, Department of City Planning, requesting permission for Gary Erenrich to attend Urban Transportation Planning Conference, Warrenton, VA, November 9-12, 1981 at a cost not to exceed \$500.00, payable from Community Development Block Grant Program, Code Account CDPA.

Which were severally read and referred to the Committee on Planning, Housing and Development.

#### **Mr. Stone presented**

4103 Resolution transferring the aggregate sum of \$59,220.93 from various CETA Trust Funds into Code Account 44, Workers Compensation to reimburse the City for Workers Compensation benefits paid to CETA enrollees.

Also,

No. 4104 Resolution providing for the issuance of a warrant to Terry C. Patterson and Marilyn Patterson, care of Robert J. Trafeser, Esquire, Chatham

Center Tower, Pittsburgh, PA 15219, in the sum of \$2,500.00, in full settlement of a claim for personal injuries and providing for the payment thereof.

Which were read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 4105 Resolution transferring \$16,000.00 from C.A. #57, Social Security Fund, to C.A. #1150, Outside Repairs-Contract, Department of Supplies, Bureau of Automotive Equipment.

Which was read and referred to the Committee on Finance.

**The Chair presented**

No. 4106 Petition from the residents of the City of Pittsburgh requesting Council to hold a hearing on whether or not the City will benefit by pursuing military contracts for local businesses.

Also,

No. 4107 Petition from the residents of the City of Pittsburgh requesting Council to hold a hearing to allow Primary Care Health Service, Inc., the right to present a petition to compromise City and School Taxes that they believe were unlawfully assessed against Primary Care Health Service, Inc for the tax year 1978.

Which were read and referred to the Committee on Finance.

**The Chair:**

I'd like to take a moment to welcome the students from Washington

Jefferson College, Political Science class. Thank you for coming, we're glad to have you.

**REPORTS OF COMMITTEES**

**Mr. Woods for Mr. Stone presented**

Bill No. 4108

Report of the Committee on Finance for October 14, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3970

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Otis Elevator Company in the amount of \$13,475.67 in payment for elevator maintenance furnished for the benefit of the city, in connection with six (6) automatic elevators, City-County Building, and providing for the payment thereof."

Which was read.

Also,

Bill No. 3971

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carrier Air Conditioning, in the amount of \$240.60 and \$165.90 totalling in the aggregate \$406.50 in payment for parts furnished for the benefit of the city in connection with emergency repairs to the air conditioning unit at the North Side Public Safety Center; and providing for the payment of the cost thereof."



Which was read.

Also,

Bill No. 3981

Resolution entitled, "Resolution amending Resolution No. 87, approved February 22, 1980, effective February 23, 1980, entitled, 'Providing for the issuance of a warrant in favor of Boquet Construction Co., in the amount of Six Thousand One Hundred Twenty Three (\$6,123.00) Dollars, in payment for Extra Work furnished for the benefit of the City in connection with sidewalk construction-various locations, and other work incidental thereto, (Community Development); and providing for the payment thereof,' by decreasing the total allocation by Three Thousand (\$3,000.00) Dollars."

Which was read.

Also,

Bill No. 3982

Resolution entitled, "Resolution amending Resolution No. 656, approved July 22, 1980, effective July 25, 1980, entitled, 'Authorizing the issuance of a warrant in favor of H. F. Carter, Inc., in the amount of Eight Thousand Six Dollars and Eighty Four Cents (\$8,006.84), in payment for work performed at Carnegie Library/Hill Branch, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof,' by decreasing the allocation from Eight Thousand Six Dollars and Eighty Four Cents (\$8,006.84) to Four Thousand Six Dollars and Eighty Four Cents (\$4,006.84)."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 3983

Resolution entitled, "Resolution transferring One Thousand Two Hundred Fifty (\$1,250.00) Dollars from Code Account 1544-1, Chartiers Flood Protection Project to Special Trust Fund C.F.P.P. Chartiers Flood Protection Project/Operation and Maintenance, Department of Public Works."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff

Mr. Robinson  
Mr. Woods

Mrs. Masloff  
Mr. O'Malley

Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 3995

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of J-Jac Construction, 4610 Barlind Drive W., Pittsburgh, PA 15227, in the amount of \$10,300.00 in payment for Installation of Gate Valves and a Tapping Sleeve furnished for the benefit of the City in connection with City Controller's Contract No. 24037 and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods

AYES 6

NOES none

(MR. DE PASQUALE ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4009

Resolution entitled, "Resolution transferring the sum of \$1,500.00 from Code Account No. 1468, Equipment, to Code Account 1463, Miscellaneous, within the Department of Fire."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4026

Resolution entitled, "Resolution providing for the issuance of a warrant to Michael Smith, care of Frank E. Little, Esquire, 300 Law & Finance Building, Pittsburgh, PA 15219, in the amount of \$2,000.00 in full settlement of a lawsuit at No. 5285-80, of a claim for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 4027

Resolution entitled, "Resolution providing for the issuance of a warrant to Valerie Mould and Peter Mould, husband and wife, care of Paul F. Laughlin, Esquire, Suite 140, Ft. Pitt Commons Building, Pittsburgh, PA 15219, in the amount of \$2,500.00 in full settlement of a claim for personal injuries and a lawsuit at No. GD 80-5715 and providing for the payment thereof."

Which was read.

Also,

Bill No. 4028

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of the U. S. Department of Labor in the amount of \$29,426.66 in payment of a debt established through a Stipulation of Settlement related to CETA Audit for Fiscal Years 1975 and 1976."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4029

Resolution entitled, "Resolution providing for an Agreement or Agreements with private-for-profit businesses, or nonprofit organizations, to provide on-the-job training services for CETA participants and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 4109

Report of the Committee on Public Works for October 14, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3984

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Samuel H. Triplett, situated at the intersection of Grandview Avenue and LaBelle Street in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3985

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of John R. Gavin, Etux., situated at the intersection of Grandview Avenue and August Street in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3986

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of Robert W. McCune, situated at the intersection of Grandview Avenue and Meridan Street in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3987

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of Charles W. Carman, Jr., situated at the intersection of Grandview Avenue and Olympia Street in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3988

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh for public road easement purposes, certain property of Leonard M. Celmo situated at the intersection of Grandview Avenue and Sweetbriar Street in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3989

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road easement purposes, certain property of St. Mary's situated at the intersection of Grandview Avenue and Ulysses Street in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3990

Resolution entitled, "Resolution taking, appropriating and condemning by the City of Pittsburgh, for public road

easement purposes, certain property of St. Mary's situated at the intersection of Grandview Avenue and Bigham Street in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

**Michelle Madoff:**

On all of the bill relating to Grandview -- I am going to vote aye on all bills, however, I would like to have as part of the record the fact that I stated earlier that Chris Passadelos certainly has conducted himself the way we wish every developer in this City would perform. I was at the opening ceremony, he is sort of announcing the kick-off for his project, and he had people from every walk of life working hand in hand with him, so this is not a criticism of the project at all, what I am saving is that even though there will be widening of streets towards the end where the development will take place near Christophers, we are still going to be impacted with far more traffic and something has to be done to look into a road end, turning Grandview into one-way going in and another road somehow going out. Perhaps even if the road has to wind around, it wouldn't be so serious, not just to take any house at random, but to give people as Marty Kraus would say, "a house for a house" for the good of the community up there, you know, up on the Mt. Washington site.

I think if we don't do that, and we don't talk about it now, that's going to come back and haunt us. We are supposed to be the legislative body and sort of try to look ahead at what possible problems there could be and if you remember Mr. President, there was a meeting up on Mt. Washington about a year ago that we all attended and you presided and there were some 200 screaming people who didn't have parking

space in front of their own houses. We can't turn their front lots, under law, into cement, because once they do that, that becomes a driveway and then nobody can park their car going to the restaurants off Grandview. So, we really have a very serious problem up there, I'm concerned about fire, I'm concerned about paramedic vehicles and I think we are going to have to, somehow or other address this problem and it isn't just enough to say we have a problem, what are we going to do about it?

What I would suggest is that we have a letter go from yourself or from the City Clerk, if you so wish it, to the Planning Department saying how do you plan to address this issue, what can be done, what is in the works; to have a row that would wind around some way for the good of the community, buy at a fair market value, replace the homes if it were necessary -- there are a lot of alleys up there where the road could -- we could, you know, they are very steep hills, but they could be somewhat leveled down and we could have another road going out that would come back to the McArdle Bridge. We talk about it, but if we don't follow through it is just a lot of conversation, its just like the noise boxes. I talked to Danny Pellegrini today and he tells me that he didn't change the law at all, that is the bill that is already on the books, all they did was add busses, but unless the Police Department, or the Administration says to the Police Department, order people disturbing the peace to abide by the law, nothing will happen. We could sit here all day and say, "Well, its wonderful, we're going to have this tax base and a new development on Mt. Washington", but what are we going to do when that area is severely impacted? I'm thinking perhaps of moving up there, I don't know what is going to happen with the districting.

## **The Chair:**

Well Michelle, I think you said it yourself, that was probably one of the best planned projects in the City of Pittsburgh, I know its been two, two-and-a-half years they have been kicking it around and I was under the impression that most of the problems were eradicated or eliminated and I can see what you mean, there is probably going to be a problem there regardless of how they do it, when or where, it is going to have some impact there. I think its going to be a lot less than it would have been, unless it was planned incorrectly.

## **Michelle Madoff:**

I'm not sure of that, you're going to have a shopping center, two towers, a senior citizen highrise and the luxury condominiums on the hillside. We're talking about volumes of people coming to shop and what they are going to improve will be fine for that specific area, but it isn't going to release the traffic or relieve the problems on the amount of people coming into that area and going out, it is only going to compound it and somebody has to look at this because one day we are going to be confronted with people screaming and yelling up there like we did on U. S. Steel. PPG — there should never have been a problem with PPG. We met in the Mayor's Office, everything was honey and kisses and candy until we got summoned by the priests who read to us from the Bible and said what horrible people we were. So, I'm trying to look ahead and say that is going to be a problem, it is going to impact on that community and we can't close our eyes to it. The most responsible way would be to ask the Planning Committee to come back and tell us how they plan to deal with this. That's not such a terrible thing.

## **Mr. Givens:**

As the Chairman of this particular department, I think it was incumbent upon all the Councilmembers, that when we approved any project up in the Mt. Washington area, that the people were vitally involved in what happened in their own neighborhood. They all agreed to this particular building going up, I challenged, even when we had the public hearing on it, the fact that they were breaking a traditional code up there, 100 feet on any highrise building. It is an impacted area like many areas in most cities are impacted with a lot of traffic and to alleviate that traffic we are going to have to alleviate a lot of homes and I think the people who live up there would rather have a little bit of a traffic problem than they would to alleviate their own particular home.

## **Michelle Madoff:**

I don't think anybody disagrees with you —

## **Mr. Givens:**

And we have studied the issue. We have spent, if I can recall, maybe \$25,000, maybe \$50,000 on the traffic plan for that particular area. What the people wanted up there, the people have received and that is the widening of the streets, the cutting of the curbs, etcetera and this particular legislation that was introduced here in final passage today.

## **Michelle Madoff:**

Mr. President, I am on record, which is what I wanted to do, I want to be in the printed transcript of believing that the impact of the development, perhaps the people cannot see it today, and just by sheer numbers its got to be a problem and widening the streets isn't

going to solve it. I think it is important that we, as Council, say, if something can be done — I agree with Mr. Givens, if the people are happy with that congestion and they don't want to take houses, even if we give them fair market value, then so be it --

**The Chair:**

Well, I don't know if they would be happy with it.

**Michelle Madoff:**

Pardon me?

**The Chair:**

I don't know if they will be happy with it, but apparently they have agreed.

**Michelle Madoff:**

Well, but I think what we have to do is to have somebody come back and tell us, something that I have never heard, how many more people do they plan to have both living, and the traffic that will be created by that shopping center. That is the question that I would like to have answered.

**Mr. Givens:**

Well, that is a neighborhood shopping center, most of the people who live there will be shopping, primarily, day-in and day-out necessities, they might go to a big market, but their day-in, day-out they will receive primarily from that particular market. The whole thing, and why I gave approval to it was that it was a neighborhood environment that they were trying to re-create in an area that was very definitely, a very strong ethnic neighborhood.

**Michelle Madoff:**

Nobody is quarreling with you Mr. Givens, but what we are saying is that there are going to be more people living in that area and just widening streets --

**Mr. Givens:**

Well, what I am hearing from you Michelle is, let's rip down houses and put in a four lane highway and I don't go along with that.

**Michelle Madoff:**

No, I didn't say that. I didn't say four lane and I didn't say one lane, I said there are alleys there and I --

**The Chair:**

Allright, it won't do any harm to get that letter out Mike and I'll sign the letter.

**Michelle Madoff:**

If you look at some of the alleys that are vacant right now, they could be turned into a back road to get out, if it was one way.

**The Chair:**

Okay.

**Michelle Madoff:**

We could go in and out or up and down, but we could get out. Is Mr. Perry going to write the letter Mr. President?

**The Chair:**

Yes.

**Michelle Madoff:**

Mr. Perry, would you write a letter to the Planning Commission -- what greater population density do they

expect, and could there be a road somehow designed to make Grandview one-way and another way out and what kind of dollars would be involved and could we do it, maybe not in the short term but over the long term. And I presume you want me to write something and give it to you?

**Mr. Perry:**

Anything you say Michelle.

Also,

Bill No. 3991

Resolution entitled, "Resolution taking, using, appropriating and condemning certain property of Morry J. Rosecrans, owner of Lot No. 15-J-300, situated in the Nineteenth (19th) Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, for the opening and widening of Crane Avenue and other public purposes and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 3992

Resolution entitled, "Resolution granting unto McDonald Corporation, 444-448 Liberty Avenue, Pittsburgh, Pennsylvania, its successors and assigns, the privilege and license to construct, maintain, and use at its own cost and expense, an electrical vault in a portion of the sidewalk of Forbes Avenue in the Second (2nd) Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 3993

Resolution entitled, "Resolution granting unto N. John Cunzolo, 800 Renshaw Building, Second (2nd) Ward, City of Pittsburgh, his successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, a balcony, to be erected at the rear of his building, at Liberty Avenue and Ninth Street."

Which was read.

Also,

Bill No. 3994

Resolution entitled, "Resolution providing for a contract or contracts for North Side Concrete Step Construction and Reconstruction-various locations, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4036

Resolution entitled, "Resolution providing for a contract or contracts or the utilization of existing contracts, for the rehabilitation of various streets/park roads with asphaltic, concrete or other materials, including regrading and recurring within the limits of the City of Pittsburgh; also including work on private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?



And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
	(President)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 4110

Report of the Committee on Planning, Housing and Development for October 14, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3238

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 993, Exceptions, Section 993.01, Use Exceptions, Exception No. 993.01(a)A(8) Hospital or Unit Group Building thereof by changing item a. under the 'I' District." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4010

Resolution entitled, "Resolution providing for an Agreement or Agreements with Freedom Unlimited, Incorporated, a non-profit organization, whose purpose is to promote community understanding and awareness of racial problems and the Urban Redevelopment Authority, so as to renovate their building at 2201-03 Wylie Avenue in the Hill District, chargeable to and payable thereof."

Which was read.

Also,

Bill No. 4011

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Earnest T. Williams Center located in the Northview Heights section of the City and the Urban Redevelopment Authority, so as to weatherize the Center's building located at 101 Hazlett Street in which social service programs are operated for residents of that area."

Which was read.

Also,

Bill No. 4012

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Hill House Association and the Urban Redevelopment Authority for the renovation of the Hill City Building located on Bedford Avenue in the Hill District, and providing for the payment and cost thereof."

Which was read.

Also,

Bill No. 4013

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Saint Ursuline Academy located on Winebiddle Street in Bloomfield and the Urban Redevelopment Authority, so as to construct ramps for the handicapped and do general rehabilitation work on specific areas of the school building which would be used for various community activities."

Which was read.

Also,

Bill No. 4014

Resolution entitled, "Resolution providing for an Agreement or Agreements with the West End Health Center and the Urban Redevelopment Authority, so as to renovate the heating and lighting systems in the Center's building located at 441 S. Main Street."

Which was read.

Also,

Bill No. 4015

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Chadwick Civic League, Inc., located in the Lincoln-Lemington area of the City and the Urban Redevelopment Authority, so as to provide insulation for the center which is owned and operated by the City and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4016

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Brashear Association of the South Side and the Urban Redevelopment Authority, so as to renovate the Brashear Association Center at 2005 Sarah Street and the Henry Kaufmann Center at 2201 Salisbury Street for continued use as multi-purpose neighborhood centers, chargeable to and payable thereof." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4017

Resolution entitled, "Resolution providing for an Agreement or Agreements with the St. Vincent DePaul Society, a non-profit organization located at 2005 Wyandotte Street and the Urban Redevelopment Authority so as to continue additional rehabilitation work at the Pittsburgh Community Food Bank distribution center."

Which was read.

Also,

Bill No. 4018

Resolution entitled, "Resolution providing for an Agreement or Agreements with the County of Allegheny for the transfer of \$30,000 from the City of Pittsburgh's 1981 Community Development Block Grant Program funds as the City's share of the funds that will be expended by the Easter Seal Society for Crippled Children and Adults of Allegheny County, pursuant to a contract with the County for the removal of architectural barriers at the main service center, 110 - 7th Street, Pittsburgh."

Which was read.

Also,

Bill No. 4019

Resolution entitled, "Resolution amending Resolution No. 589, effective July 2, 1981, entitled, 'Authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh for the utilization and implementation of the following programs: Neighborhood Commercial Improvement Program (CP-81-12); Urban Redevelopment Authority Planning, Management and Administration of City Projects (CP-81-07) and the Urban Redevelopment Authority Property Management Program (UR-81-01), so as to add the Capital Budget Authorization of \$125,000 (NPA) CP-81-07) 'Urban Redevelopment Authority Planning Management and Administration of City Projects' to the Co-op Agreement; and further to add \$100,000 of Community Development Block Grant, Unspecified Local Options, funds for 'Hill District Project Area Committee - Consulting Services' to the Co-op Agreement."

Which was read.

Also,

Bill No. 4020

Resolution entitled, "Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 1981 Community Development Block Grant Program, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4021

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to file an application with the Commonwealth of Pennsylvania, Department of Community Affairs for the 1982 Blight Prevention Program."

Which was read.

Also,

Bill No. 4022

Resolution entitled, "Resolution authorizing the Mayor to enter into a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh to act as the fiscal agent of the 1982 Blight Prevention Program, and providing for code enforcement and demolition services by the City of Pittsburgh."

Which was read.

Also,

Bill No. 4023

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) A 44 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 for use of the existing dwelling building located at 1718 Sarah Street by Goodwill Industries of Pittsburgh, as a Group Care Facility for five handicapped persons, with one resident supervisor, on property zoned 'R4' Multiple-Family Residence District and identified as Block 12-J, Lot No. 150 in the Allegheny County Block and Lot System, 17th Ward."

Which was read.

Also,

Bill No. 4024

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) A 43 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Edward and Barbara Dotten to construct a single-family dwelling on vacant property located on the corner of Muldowney Street and Mere Street, as a Group Residence Facility for eight senior citizens with supervision on property zoned 'C1' Neighborhood Retail District, 31st Ward."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

I would like to have for the record, for those in the media who may not understand, the dollars that were allocated to these projects were money allocated to these projects by the federal government, they are to be used in community developments, and the story that appeared in the paper and I've had a number of calls and people have stopped me saying, "If we are so hard up and the funds are so tight in the City, why are we giving money away" — we are not giving money away, it is federal dollars coming to this community that we are distributing in the areas that are in need and they are mostly, and I think almost all, federal tax dollars that would go to other cities and not to our community.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
	(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 4111

Report of the Committee on Water for October 14, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3996

Resolution entitled, "Resolution providing for a contract or contracts for the furnishing and delivery of water meters of various sizes, less trade-ins, for the requirements of the Department of Water, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 4112

Report of the Committee on Parks & Recreation for September 14, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3940

Resolution entitled, "Resolution providing for an agreement or agreements with a professional dance instructor or instructors for services provided within the City of Pittsburgh, Department of Parks and Recreation's 1981 Preschool Program for the payment of costs thereof. Payments shall not exceed \$2,100.00 and shall be chargeable to and payable from Special Parks Program Trust Fund (S.P.P.T.F.)."

Which was read.

Also,

Bill No. 3998

Resolution entitled, "Resolution transferring \$7,397.00 from Project Code 4-10-01-1265-78 (PR 78-01) Arts and Crafts Center to Project Code 4-10-10-1510-80 (PR 80-17) Mellon Park Gardens."

Which was read.

Also,

Bill No. 3999

Resolution entitled, "Resolution amending Resolution No. 847 of 1980 entitled, 'Providing for a contract or contracts or the use of existing contracts for the lighting of Mellon Park; and providing for the payment of the cost thereof', by increasing the amount provided from \$20,000.00 to \$27,397.00."

Which was read.

Also,

Bill No. 4000

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for Security Lights and Light Replacement at Various Locations including Banksville Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4001

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the refurbishing of Lee School Recreation Center; and providing for the payment of

the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Mr. President, I lost a bill, I wonder if somebody can help me?

**Mrs. Masloff:**

No, its not in here, that was interim approval.

**Michelle Madoff:**

The other day I asked the question about the moving stairs at the Zoo and when I asked the question it appears that the cost of repairing it is greater than what we paid for it to begin with and I asked for a summary and I thought we had talked about the bill that day because we had a bill to repair it. There is a bill to repair it, I can't find the bill.

**Mr. Perry:**

That might have been a communication.

**The Chair:**

How long ago did they put those stairs in?

**Michelle Madoff:**

We discussed it here in Council. What happened to the bill?

**Mr. Perry:**

We must have had it approved on Wednesday.

**Mrs. Masloff:**

That was only interim approval, it is coming up for final approval.

**The Chair:**

How long ago did they put those stairs in?

**Mrs. Masloff:**

The Zoo Commission, the original Zoo Commission put them in. The City didn't put them in.

**The Chair:**

The rate of inflation has risen so in the last five or six years, it is possible that it cost more to fix them.

**Michelle Madoff:**

We've got the numbers.

**The Chair:**

Like Pitt Stadium, they put a Press Box in there a few years ago and the Press Box cost twice as much as the whole stadium cost. Of course they built it in '24.

**Michelle Madoff:**

The problem and the difference here Mr. President, is that nobody can repair this, its sort of a captive audience. They've got, you know, a lifetime job. We've never looked into an alternative that might be less costly over the long run and the numbers are fast becoming at a point where we ought to be looking elsewhere or seeing if it is viable to go in another direction.

**The Chair:**

They might be the only ones that have the part, right Sophie?

**Michelle Madoff:**

Here's the bill, we found the bill.

**Mr. Perry:**

Its a communication.

**Michelle Madoff:**

What does that mean?

**Mr. Perry:**

There is no final action here on Monday, it will be final action on Wednesday.

**Mrs. Masloff:**

That's what I said.

**Michelle Madoff:**

Okay, then that will come up again. Thank you sir. I didn't understand, I figured we discussed it.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

**AYES 8**

**NOES none**

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 4113

Report of the Committee on Lands and Buildings for October 14, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3972

Resolution entitled, "Resolution amending Resolution No. 647, effective July 13, 1981, entitled, 'Providing for the acceptance by the City of Pittsburgh from Dolores May Salago of certain property in the 24th Ward of the City of Pittsburgh, for public greenway purposes, for a nominal consideration plus the cost of title examination, recording of deed and other proper closing expenses; and providing for payment of the cost thereof', by including the Director, Department of City Planning and correcting name of the trust fund."

Which was read.

Also,

Bill No. 3973

Resolution entitled, "Resolution amending Resolution No. 702, effective July 23, 1981 which presently reads, 'Providing for the acquisition from the Consolidated Rail Corporation of certain property located in the 12th Ward, City

of Pittsburgh, for the development of an asphalt plant and providing for the payment of the cost thereof, by changing a portion of Item 'D'."

Which was read.

Also,

Bill No. 3974

Resolution entitled, "Resolution providing for an Agreement or Agreements with the County of Allegheny for one-half share not to exceed \$11,500.00 in connection with a Technical Assistance Study of City-County Building and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 3975

Resolution entitled, "Resolution providing for a license to Equitable Gas Company for the installation of a regulator, its housing and necessary pipelines on City property fronting on Spring Garden Avenue and Welser Way."

Which was read.

Also,

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Bill No. 3976

Resolution entitled, "Resolution providing for a contract or contracts in connection with the construction of a new #10 Engine Company, West and providing for the payment of the cost thereof."

Which was read.

#### **Mr. Flaherty:**

I move to amend Bill No. 3976 by deleting the amount of \$650,000.00 and inserting the amount of \$575,964.71, payable as follows: \$25,964.71 from LB 79-01 - Engine No. 10, Relocation Design and Land, \$550,000.00 from LB 81-01 - Engine No. 10, West End.

**Mr. O'Malley** seconded the motion.

#### **The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bills pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods



Mrs. Masloff

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 3977

Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services in connection with a Technical Assistance Study of City facilities at various locations and providing for the cost of the payment thereof."

Which was read.

Also,

Bill No. 3978

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 787 of 1937, as amended."

Which was read.

Also,

Bill No. 3979

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

Also,

Bill No. 3980

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Givens

Michelle Madoff

Mrs. Masloff

Mr. O'Malley

Mr. Robinson

Mr. Woods

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Mr. Woods for Mr. Stone presented**

No. 4114 WHEREAS, the City of Pittsburgh and its surrounding areas are composed of many ethnic religious groups and churches, which add to the substance and well being of these communities as well as its beauty; and

WHEREAS, the Metropolitan Archdiocese of Pittsburgh - Byzantine

Rite, is one of Pittsburgh's leading ethnic religious orders and churches; and

WHEREAS, Archbishop Stephen J. Kocisko, D.D., by his dedication and devotion these past 40 years in priesthood, has been an exemplary priest and leader; and

WHEREAS, Archbishop Stephen J. Kocisko, D.D., has been a motivating force and through his efforts, the once-Diocese of Munhall was raised to the dignity of a Metropolitan Archdiocese and is now known as the Metropolitan Archdiocese of Pittsburgh; and

WHEREAS, a testimonial celebration will be held in his honor on October 24 - 25, 1981, to celebrate his 40th Anniversary of Ordination to the Holy Priesthood, and the 25th Anniversary of his consecration as a Bishop.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the members of the Council of the City of Pittsburgh do hereby:

- Acknowledge the great contribution of Archbishop Stephen J. Kocisko -- to his church and to this community; and

- Congratulate Archbishop Stephen J. Kocisko on the 40th Anniversary of his Ordination to the Holy Priesthood and the 25th Anniversary of his Consecration as a Bishop; and further

- extends its best wishes for continued success and long life.

Which was read.

**Mr. Woods** moved for adoption.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**The Chair:**

Congratulations Archbishop Kocisko.

**Michelle Madoff:**

Mr. President, discussion. To my knowledge I have never received, I wonder if the Clerk would clarify, a list of the accidents over \$700.00, or do they go to you Mr. Perry? I would like to have our Research Assistant Al D'Alessandro compute for me in a chart, the accidents over the last five years -- we did it in our office, its rather simple, its just time consuming, he is a reasearch assistant, to break down the accidents by various departments, under \$700, over \$700 and give us some kind of a comparison before we go into budget hearings so we can decide what we need in the way of mechanics, how things are going, what the accident rate is, what monies we are going to need for claims, etcetera. Do I have your permission to do that?

**The Chair:**

Certainly.

**Michelle Madoff:**

Mr. Perry?

**Mr. Perry:**

Yes.

**Michelle Madoff:**

One other item. A young attorney by the name of Mark Schwartz, who just did some reapportionment work I believe for K. Leroy Irvis and the state, he has also been a political government attorney for many years, he has just gone

out into private practice and he would be happy to offer his services as one of Council's attorneys on our list of paid attorneys and I would like to put forth his name. Is that acceptable? I understand it is up to you Mr. President.

**Michelle Madoff:**

Certainly. No problem.

**Michelle Madoff:**

Mr. Perry, would you put his name on please?

**Mr. O'Malley:**

Doesn't there have to be a vote on that?

**Michelle Madoff:**

No, it is the will of the President.

**Mr. Perry:**

I'll draw up a resolution on that Jim.

**The Chair:**

Well, first of all, any Councilperson can hire any attorney they want as far as that goes, and then bill the City, but at the same time, as far as having a name on the list, it does have to have approval of the rest of the members of Council and we will do that in the form of resolution.

**Michelle Madoff:**

Well, may I do that in the form of a resolution?

**The Chair:**

Sure.

**Michelle Madoff:**

Are you seconding it?

**Mr. O'Malley:**

I'll second it, I know Mark and he is very capable.

Which motion prevailed.

**Michelle Madoff:**

Super. He thinks a lot of you too.

**Mr. Woods:**

I don't understand this motion, I'm sorry.

**Michelle Madoff:**

We have five attorneys or six attorneys that services Council and they get paid an hourly rate and I am just adding him to the list. People have come before Council and said, "This person should be on the list", he has been known very well by Mr. DePasquale for years and Mr. O'Malley knows him.

**The Chair:**

Originally, Ben, what we did, we hired five or six with expertise in different fields and when we needed this type of help, a special type of help we went to this attorney. However, any Councilmember can go to any attorney they want anytime --

**Mr. Woods:**

In other words, one of my best friends is an attorney, I can just put his name on the list and we will pay him?

**The Chair:**

Or you can even ask his advice,

his paid advice —

**Michelle Madoff:**

We pay him only if we use him.

**Mr. Woods:**

Oh.

**Michelle Madoff:**

And then before you can use him on a project, you have to ask the President whether you can use him for that specific project.

**The Chair:**

I know Ben will go ahead and get him anyway.

**Mr. Woods:**

I just didn't understand the procedure, that's why I asked.

**Mr. Givens:**

Just one comment for the record in regards to the morning's ceremony that all public officials were invited to, the ground-breaking for the mass rapid transit system in the City of Pittsburgh. I feel very strong that this Council should be commended and it was so noted at the ground-breaking ceremonies both today and at the luncheon at the William Penn Hotel, that this Council is to be given credit for what we have done on our part in bringing mass transit to the City of Pittsburgh.

**The Chair:**

I want to apologize for not making that ground-breaking but something came up and I just couldn't get over there. I understand it was a very good

affair.

**Mr. Woods** moved to excuse Mr. Stone for absence from this meeting.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Mr. Givens** moved to approve the minutes of Tuesday, October 13, 1981.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

And on motion of **Mrs. Masloff**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, OCTOBER 26, 1981

No. 41

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE.....President**  
**MICHAEL PERRY .....City Clerk**  
**WILLIAM F. McCRAY...Asst City Clerk**

Pittsburgh, PA  
Monday, October 26, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 4115 Resolution transferring the sum of \$4,000.00 from Code Account 1360 - Salaries, Regular Employees to Code Account 1360-1 - Premium Pay,

Department of Lands and Buildings.

Which was read and referred to the Committee on Finance.

Also,

No. 4116 Resolution providing for a lease to Pittsburgh Public Theatre of a certain portion of Allegheny Regional Branch, Carnegie Library at an annual rental of \$1.00 upon certain terms and conditions.

Which was read and referred to the Committee on Lands and Buildings.

##### Mr. Givens presented

No. 4117 Petition from the residents of the City of Pittsburgh and PATCO requesting a public hearing concerning the safety of the Air Traffic Control System and to ban City Employees from using air transit in an official capacity if appropriate findings are made.

Which was read and referred to the Committee on Finance.

Also,

No. 4118 Resolution providing for a contract or contracts for the repairs to the Schenley Park Bridge over Panther Hollow, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof not to exceed \$25,000.00.

Which was read and referred to the

Committee on Public Works.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 4119 Resolution transferring the amount of \$3,000.00 from Code Account 1661, Miscellaneous Services, Supplies and Equipment, Bureau of Cable Communications to Code Account 1501, Premium Pay, both accounts within the Department of Public Works.

Which was read and referred to the Committee on Finance.

Also,

No. 4120 Resolution providing for an Agreement/s with Port Authority of Allegheny County for reimbursement of the actual costs incurred by the City of Pittsburgh in the removal and replacement of the Port Authority's Wood Street Bridge streetcar track system in connection with the Wood Street Bridge Rehabilitation Project, and for reimbursement by the City to the Authority of 90% of the actual costs upon receipt of federal funds for the Project. Upon receipt of the reimbursement from the Authority, the sum shall be deposited in the Capital Fund's Unrestricted Cash, DPW.

Also,

No. 4121 Resolution granting unto Carl J. Long and Associates, its successors and assigns, the privilege and

license to construct, maintain and use at its own cost and expense, an electrical vault in a portion of the sidewalk of Sixth Street in the Second Ward of the City of Pittsburgh.

Also,

No. 4122 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$89,000.00 to Sofis Company, Inc., in connection with the rehabilitation of Murray Avenue Bridge over Beechwood Boulevard, to be payable from Code Account PW 80-32, Miscellaneous Repairs to Streets and Structures.

Also,

No. 4123 An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, by adding a new Chapter 610 - Noise and Sound Amplifying Devices and deleting Section 601.04.

Which were severally read and referred to the Committee on Public Safety.

**Michelle Madoff presented**

No. 4124 Resolution amending Resolution No. 208 of 1976, as amended, which approves the appointment of specific attorneys to serve as Legal Advisors to Pittsburgh City Council by adding the name of Mark Schwartz, Esq., to serve as one of the Legal Advisors.

Also,

No. 4125 Resolution transferring \$3,000.00 from Code Account No. 1706, Equipment to Code Account No. 1704, Supplies, Department of Water. Which were read and referred to the

Committee on Finance.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 4126 Communication from Richard Cosentino, Director, Department of Water, requesting interim approval of payment of \$568.34 to Allied Chemical Company to cover additional charges for alum during April and May, 1980.

Which was read and referred to the Committee on Water.

**Mrs. Masloff** presented

No. 4127 Resolution authorizing the issuance of a warrant in favor of Dice Plumbing in the amount of \$5,816.24 in payment for work performed at Point Park Symphony Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof from P.C. 4-10-01-1330-81 (PR 81-03).

Also,

No. 4128 Resolution authorizing the issuance of a warrant in favor of McGrady, Inc., in the amount of \$2,718.62 in payment for Topsoil at Point State Park in connection with the Summer Symphony furnished for the benefit of the City without previous authority of law; and providing for the payment thereof from Code Account No.

1829 Miscellaneous Services, Supplies, Materials and Equipment.

Also,

No. 4129 Resolution authorizing the issuance of a warrant in favor of VicNor Farms, Inc., in the amount of \$3,858.00 in payment for sod at Point State Park in connection with the Summer Symphony, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof, Code Account 1829 Miscellaneous Services, Supplies, Repairs and Materials.

Also,

No. 4130 Resolution authorizing the issuance of a warrant in favor of Imperial Floor and Drape Company in the amount of \$958.00 in payment for work performed at Brookline Recreation Center Gym, furnished for the benefit of the City without previous authority of law, chargeable to and payable from PC 4-10-05-1392-78 (PR 78-20).

Also,

No. 4131 Resolution authorizing the issuance of a warrant in favor of Guido Fantini Construction Company in the amount of \$1,000.00 in payment for work performed at West End Picnic Shelter, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 4132 Resolution authorizing the issuance of a warrant in favor of Sargent Electric Company in the amount of \$270.00 in payment for work performed at West End Picnic Shelter, furnished for the benefit of the City without previous authority of law and providing for the payment thereof from

PC 4-10-10-1496-75-120-75-10 (75 CDPDR).

Which were severally read and referred to the Committee on Finance.

Also,

No. 4133 Resolution amending Resolution #1122 of 1980, approved 11/3/80, effective 11/7/80, entitled, "A Resolution providing for an Agreement/s for architectural, engineering, or other professional services in connection with design and rehabilitation of Frick Park Service Building in English Lane, and providing for the payment of the cost thereof," by increasing the funds allotted for said project to \$5,491.00 from Project Codes 4-10-15-1720-80 (PR 80-24) and PC 4-10-15-1760-74 (BF 228-306).

Also,

No. 4134 Resolution amending Resolution #407, effective 5/1/81, entitled, "Providing for an Agreement/s with the Neighborhood Centers Association located at 1439 N. Franklin Street and the URA so as to rehabilitate a Neighborhood Centers Association owned structure located at 2 Heines Way, 21st Ward, for use as a Boy's Club facility.

Also,

No. 4135 Resolution providing for an Agreement/s or use of existing Agreements for architectural, engineering, or other professional services in connection with the design and construction of Burgwin Swimming Pool; and providing for the cost thereof not to exceed \$2,650.00.

Also,

No. 4136 Communication from

Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,000.00 for extra work in connection with Volunteers Park Improvements, Project 79-PR-17.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

4137 Resolution transferring the sum of \$7,500.00 from Code Account No. 1468, Equipment, to Code Account No. 1464, Supplies & Materials, within the Department of Fire.

Which was read and referred to the Committee on Finance.

Also,

No. 4138 Resolution authorizing the City Controller to create a Special Trust Fund to be designated Arson Squad Trust Fund, into which there shall be deposited money received from grants and donations for the use of equipment and services for the detection of arson.

Also,

No. 4139 Communication from Charles Lewis, Chief, Department of Fire, requesting permission for Captain Thomas W. Hitchings to attend Interagency Committee on Arson, Harrisburg, PA, November 6 and December 4, 1981, at a cost not to exceed \$250.00 per trip, payable from Code Account No. 1463-1, Educational and Traveling Expenses, Department of Fire.

Which were read and referred to the Committee on Public Safety.

#### **Mr. Robinson presented**



No. 4140 Resolution providing for an Agreement/s with Youth City of Pittsburgh, Inc., for services relative to providing a Thanksgiving Dinner for needy people, and transferring \$2,000.00 from Code Account No. 42, Council's Contingent Fund, to Code Account No. 1838, Parks and Recreation.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 4141 Resolution approving the sale of Parcels 176, 186, 273 and 277 (1426 & 1407 Stedman and 1430 & 1407 W. North) in the 21st Ward of the City of Pittsburgh by and between URA and Cox-Schmidt Corporation for \$4,350.00 - Redevelopment Area No. 27.

Also,

No. 4142 Resolution approving the sale of Parcels 37, 62, 63, 65, 95, 97 and 253 (Columbus, Lake, Juniata, Manhattan, and Liverpool) in the 21st Ward of the City of Pittsburgh by and between URA and Laud, Inc., for \$8,300.00 - Redevelopment Area No. 27.

Also,

No. 4143 Resolution approving the sale of Parcels 153, 154, 159A, and 193 (Fulton, Liverpool and Sheffield) in the 21st Ward of the City of Pittsburgh by and between URA and Manchester

Associates, Ltd. for \$5,330.00 - Redevelopment Area No. 27.

Also,

No. 4144 Resolution approving the sale of Parcel 171 (1437 Pennsylvania) in the 21st Ward of the City of Pittsburgh by and between URA and Goor A. Lear for \$5,000.00 - Redevelopment Area No. 27.

Also,

No. 4145 Resolution approving the sale of Parcel 222 (1131 Sheffield) in the 21st Ward of the City of Pittsburgh by and between URA and Charles W. and Leslie Y. Crawford for \$1,400.00 - Redevelopment Area No. 27.

Also,

No. 4146 Resolution approving the sale of Parcel 55 (1323 Columbus) in the 21st Ward of the City of Pittsburgh by and between URA and Robert L. Simmons for \$550.00 - Redevelopment Area No. 27.

Also,

No. 4147 Resolution approving execution of a Disposition Contract by and between URA and Carl D. Collins, John E. McGeown, and Frank A. Yarussi for the sale of Block 22L, Lot 296 in the Twenty-First Ward - Residential Land Reserve Fund (1109 Liverpool/1112-1114 Warlo), for \$1,500.00.

Also,

No. 4148 Resolution approving execution of Disposition Contract by and between URA and Laud, Inc., for the sale of Block 22K, Lot 273 in the Twenty-First Ward - Residential Land Reserve Fund (1603 Manhattan), for \$4,000.00.

Also,

No. 4149 Resolution approving a Neighborhood Housing Program Agreement between URA and Brent Builders, Inc., for a house to be constructed in the Fifth Ward of the City of Pittsburgh.

Also,

No. 4150 Resolution further amending Resolution No. 527 of 1978, providing for an agreement with the URA for engineering and design studies of Herrs Island, by increasing authorized amount from \$2,160,000.00 to \$2,560,000.00 the additional \$400,000.00 to be payable from DCD 81-07, Department of City Development.

Also,

No. 4151 Resolution providing for an Agreement/s with the Public Parking Authority of Pittsburgh for the preparation of a landscape plan in connection with the redesign of the Schenley Plaza parking area and adjacent streets, and providing for the payment of the cost thereof not to exceed \$5,000.00, payable from CP 79-08, Oakland Study Implementation.

Also,

No. 4152 Resolution amending Section 11 of Res. #1549 of 1978, so as to decrease line item PW 79-31 "Ivondale Street Wall" from \$50,000.00 to \$0, and further to add a new line item PW 79-36, "Step Reconstruction" (\$50,000), Project No. 4-01-30-0958-79-188-79-01; and further to decrease line item DCD-79-07 "Minority Revolving Fund Programs" from \$300,000 to \$285,000; and further to increase line item DCD-79-01 "Industrial Revolving Loan Program" from \$500,000 to \$515,000; and further to change the title of line item CP-79-03

from "Housing Market Analysis" to "Neighborhood Commercial Revitalization Analysis."

Also,

No. 4153 Resolution amending Section 11 of Resolution No. 1228 so as to decrease line item LB-80-05 "Sheraden Branch, Acquire, Design and Construct" from \$30,000 to \$23,064.84, and further to increase line item LB-80-14 "Public Property Sidewalk Program" from \$60,000.00 to \$62,021.70; and further to create a new line item "LB-80-18 Arlington Fire Station #22" (\$4,913.46) Project No. 4-25-01-1940-80-109-80-25; and further to correct line item HD-80-16 "Neighborhood Development Offices."

Also,

No. 4154 Resolution approving a Conditional Use under Section 993.01(a) A 33 of the Pittsburgh Code, Title Nine, Zoning, for construction of an eight-story 97 unit housing facility for the elderly located on Second Avenue between Glen Caladh and Tecumseh Streets, 15th Ward.

Also,

No. 4155 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 7 by changing from: "M1" Limited Industrial District to "CP" Planned-Commercial Unit Development District, all that certain property located on the southerly side of Pressley Street east of Cedar Avenue, 23rd Ward.

Also,

No. 4156 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 15 by changing from "S" Special to "C4" and "CP" Commercial Districts, certain property located on

Freeport Road at O'Hara Township  
Boundary Line, 12th Ward.

Also,

No. 4157 Communication from Robert Lurcott, Director, Department of City Planning, requesting amendment of Council Bill 2904, which authorized Anna Harbin, Richard A. Smith and Joe Imbibo to attend Impact of Federal Cuts Workshop, Pittsburgh, PA, April 10, 1981, by substituting Reginald B. Young for Mr. Imbibo and noting total cost not to exceed \$95.00, payable from Community Development Block Grant Program, Code Account CDPA, Department of City Planning.

Also,

No. 4158 Communication from Robert Lurcott, Director, Department of City Planning requesting permission to attend Federal Program Briefing sponsored by American Planning Association, City Planning and Management Division, November 6, 1981, Washington, DC, at a cost not to exceed \$350.00, payable from Community Development Block Grant Program, CDPA, Department of City Planning.

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Michelle Madoff:**

Mr. President, may I ask a question? On the items of claims over \$700 and under \$700, are we, each member of Council getting copies, or are they only going to the Clerk? I have never received them.

**Mr. Stone:**

The ones over \$750 are those letters you get.

**Michelle Madoff:**

Wait, wait, let's go slower on that. Have we in the past been getting everything over \$750?

**Mr. Perry:**

Yes.

**The Chair:**

Each member gets it.

**Michelle Madoff:**

Well, I had asked for it but I have never received it. As a matter of fact I have Mr. D'Alessandro waiting for you to come back from vacation, now that you are back, he is preparing a summary over the last five years, a comparison on over \$700 claims, \$750 claims and the unders and I want to see a comparison report on that and I have not received that, because I keep asking for it and I was told it went to you only.

**Mr. Perry:**

Each quarter you have been receiving them Michelle.

**Michelle Madoff:**

I was told it only went to you and it was in your files.

**Mr. Perry:**

I'm sorry Michelle but they were introduced in Council each quarter and you have been receiving copies.

**Michelle Madoff:**

I'm telling you I didn't get them.  
**The Chair:**

Check that out Mike.

**Michelle Madoff:**

Are you talking about the under \$750?

**Mr. Perry:**

Under and over.

**Michelle Madoff:**

I don't get the over, I get the under.

**Mr. Stone presented**

No. 4159 Resolution providing for the issuance of a \$1,885.00 warrant in favor of Chuck Goff and Helen Goff for property damage due to a water main break at Peralta & Vinial Streets, charging same to Code Account No. 46, Judgments.

Also,

No. 4160 Resolution providing for the issuance of a warrant in favor of Charles and Hedlen Goff and Venn-Goff, Inc., for property damage to due to a water main break at Peralta & Vinial Streets, charging same to Code Account No. 46, Judgments.

Also,

No. 4161 Resolution transferring \$45,000.00 from Code Account No. 49, Reserve Fund-Sewage Service Charges, Allegheny County Sanitary Authority, Department of City Treasurer to Code Account No. 51, Departmental Postage, Department of City Treasurer.

Also,

No. 4162 Resolution amending a portion of Resolution No. 971, approved

October 5, 1981 which amended portions of Resolution No. 384, approved April 22, 1981, which amended Resolution No. 1329, approved December 12, 1980, entitled, "Providing for an Agreement/s with various agencies for the implementation of the Comprehensive Employment and Training Act, Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing ofr the payment of the costs thereof." by increasing the authorized amount from \$1,055,800.00 to \$1,095,800.00.

Also,

No. 4163 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 255, Realty Transfer Tax, Section 255.01, Definitions, by clarifying the definition of "interest in real property" in subsection (D) and of "transfer" in subsection (3); and Section 255.03, Exceptions, by limiting the exception provided for leases in subsection (b).

Also,

No. 4164 Communication from Edward A. Walkowski, Manager, City Information Systems, requesting interim approval of payment of \$975.00 to Air and Power Service Company for emergency repair to back-up air conditioning unit in computer room to be payable from Code Account No. 1043, Miscellaneous Services, City Information Systems.

Also,

No. 4165 Communication from Mead J. Mulvihill, City Solicitor, submitting settlement of claims not exceeding \$750.00 for the Third Quarter of 1981, payable from Code Account No.

1081, Petty Claims, also settlements of claims in excess of \$750.00 for the Third Quarter of 1981, payable from Code Account No. 46, Judgments.

Which were severally read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 4166 Resolution providing for the transferring of the sum of \$394,000 from various code accounts to various code accounts all within the Department of Supplies.

Which was read and referred to the Committee on Finance.

Also,

No. 4167 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, by adding the deifinition of adult bookstore to Article I - Administration, Chapter 903, Definitions and establishing an exception for adult bookstores in Article V - Regulations Applicable to All Districts, Chapter 993, Exceptions.

Which was read and referred to the Committee on Planning, Housing & Development.

Also,

No. 4168 An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, by adding Article I - Regulated Rights and Actions, Chapter 611, Commercial Public Nuisances.

Which was read and referred to the Committee on Public Safety.

**REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 4169

Report of the Committee on Finance for October 21, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4041

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of M. DePasquale, Inc., 4740 Wallingford Street, Pittsburgh, PA 15213, in the amount of \$24,760.00 in payment for the Installation of a 30" Gate Valve furnished for the benefit of the City in connection with City Controller's Contract No. 25010 and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods

AYES 8 NOES none  
(MR. DE PASQUALE ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4042

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Atlas Equipment Rentals, 490 Rodi Road, P.O. Box 10631, Pittsburgh, PA 15235, in the amount of \$421.00 in payment for Repair of Two Homelite Pumps furnished for the benefit of the City and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4043

Resolution entitled, "Resolution transferring \$7,500.00 from Code Account No. 1798, Accounts Payable Prior Years, to Code Account No. 1709, Refunds - Water Rents, Department of

Water." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4045

Resolution entitled, "Resolution transferring \$6,345.00 from Project Code 4-10-05-1500-73 (BF 227-332), Phillips Park - Recreation Building and Pool to Project Code 4-10-15-1720-81 (PR 81-33) Service Building Repairs."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4046

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Nello Construction Company in

the amount of \$875.53 in payment for work performed at Highland Park Bathhouse furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4047

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Frey Kozel and Associates in the amount of \$143.10 in payment for work performed at Olympia Park Recreation Building, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4048

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Demon Electric Company in the amount of \$1,306.98 in payment for work performed at Westwood Pool, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4053

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Harry J. Blair, 207 Clark Building, Pittsburgh, PA 15222, in the amount of \$356.25, in payment for numbering and repairing Police Badges

furnished for the benefit of the City; and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)
AYES 9	NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4058

Resolution entitled, "Resolution providing for the transfer of \$455.00 from Code Account 1376 - Miscellaneous Services to Code Account 1379 - Refund of Permits - Department of Housing - Bureau of Building Inspection."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4061

Resolution entitled, "Resolution authorizing the Mayor to issue and the City Controller to countersign duplicate warrant to the same person and in the same amount to replace warrant lost, stolen or inadvertently destroyed."

Which was read.

Also,

Bill No. 4062

Resolution entitled, "Resolution providing for the issuance of a warrant to Paul B. Young, Administratrix of the Estate of Richard W. Young, deceased, care of Clyde T. Macvay, Esquire, Evans, Ivory & Evans, 711 Frick Building, Pittsburgh, PA 15219, in the amount of \$30,000.00 in full settlement of a trespass action for the death of Richard W. Young, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the

bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4105

Resolution entitled, "Resolution transferring the sum of Sixteen Thousand Dollars (\$16,000.00) from Code Account No. 57, Social Security Fund, to Code Account No. 1150, Outside Repairs-Contract, Department of Supplies, Bureau of Automotive Equipment."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods



Mrs. Masloff  
Mr. O'Malley

Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 4170

Report of the Committee on Public Works for October 21, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4037

Resolution entitled, "Resolution taking, appropriating, and condemning by the City of Pittsburgh, for public road easement purposes, certain property of H. C. Leonard, situated at the intersection of Wyoming Street and Boggs Avenue, in the Nineteenth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens

Mr. Robinson  
Mr. Stone

Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

Bill No. 4171

Report of the Committee on Planning, Housing & Development for October 21, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4054

Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 408 - 410 Eloise Street, Block and Lot 23-K-97, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 4055

Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 24 Market Place, Block and Lot 1-D-124, in the Market Square Historic District in the 1st Ward."

Which was read.

Also,

Bill No. 4056

Resolution entitled, "Resolution providing for the issuance of a Certificate of Appropriateness for work to be done on the exterior of 430 Market Street, Block and Lot 1-D-65, in the Market Square Historic District in the 1st Ward."

Which was read.

Also,

Bill No. 4059

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) A 4 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 933 for use of the property located on the northeasterly corner of Pearl Street and Corday Way by Mellon Bank, as a parking area for nine automobiles, on property zoned 'R4' Multiple-Family Residence District and identified as Block 51-A, Lot No. 171 in the Allegheny County Block and Lot System, 8th Ward."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens

Mr. Robinson  
Mr. Stone

Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 4172

Report of the Committee on Parks and Recreation for October 21, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4049

Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering or other professional services in connection with the design of Paulson Pool and Bathhouse and providing for the cost thereof."

Which was read.

Also,

Bill No. 4050

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for Concrete Construction at Various Locations including Fowler Park and Armstrong Park; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4051

Resolution entitled, "Resolution amending Resolution No. 752, effective August 10, 1981, entitled, 'Providing for the letting of a contract or contracts or the use of existing contracts for the Renovation of the Frick Park Divisional Building; and providing for the payment of the cost thereof.' by increasing the amount provided from \$54,635.00 to \$60,980.00."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **MOTIONS AND RESOLUTIONS**

##### **Michelle Madoff:**

Mr. President, I have a number of items I would like to share with

Council. I got a letter today directed to Mr. Perry and forwarded to me regarding Councilwoman Madoff's request to discuss funds relative to water meters following Council's Finance Meeting on Wednesday, "Please be more specific as to the subject matter". All I wanted was an update as to what is happening to prevent incidents such as this. I'm sure everyone has read the newspapers, "Meter Reader Hoax — Police report that a group of men posing as meter readers and operating from four vans have been defrauding senior citizens in the Elliot, Mt. Washington and Sheridan areas. The imposters gained entry to the homes under the pretense of reading the meters and offering rebates to the residents. Once inside, however, one of the men distracts the owner while his accomplice ransacks the house for cash and valuables. Please caution residents to insist that meter readers present identification."

However, these people are coming in sort of uniforms, they are coming up with a van and they look very official.

##### **The Chair:**

Did you say they were promising rebates?

##### **Michelle Madoff:**

No, I think that somebody didn't understand what I wanted. I just want to find out what is being done about the meter reading situation, I want to share a letter with Council. This letter was sent October 19th and signed by a Rosalind M. Mervis. It is sent to Mayor Caliguiri with a copy to me and to the City Treasurer.

"Dear Mayor Caliguiri:

Inasmuch as it has been stated recently that water rates are likely to be

increased I would like to suggest one way to save some money. Over the past few years --"

And incidently, this is indicative of literally dozens and dozens, perhaps a hundred letters that I have received in the last three years.

"...over the past few weeks I have become increasingly aware that the water meter readers do not make any attempt to read meters. They merely leave return postcards in mailboxes or on door handles, even when people are home. It happened again this month, when I was home, that I found a card in my mailbox. When I went to check the mail, my mailbox is easier to reach than my doorbell because it is a flight up steps less, then I recalled at the time of my previous reading, I even had the front door open but still found the card in the mailbox. I have check with other people in the neighborhood and find they have similar experiences.

Inasmuch as there is already established an ongoing postal service, why doesn't the City merely send out double postcards, think of the salaries and fringe benefits and retirement pay that could be saved. Either that or get meter readers who are ready to do what they are paid to do."

I don't think it is a matter of getting meter readers paid to do what they are supposed to do, I don't think we have enough of them, it is not humanly possible with our budget to have enough of them, but I think the concept that Wilksburg and other communities are already engaged in, which is mailing out a card with two different types of meters and you mark your card and send it back with your water bill, is the route to go. And all I have asked, Mr. Perry, is that Mr. Schmeiser come and report to us on the progress being made, if he

wants clarification, and I think that is a reasonable report and I think this Council should certainly have some kind of concern about people posing as meter readers and this is one less problem we can create and save some money for the City and generate some revenue.

On another matter, I guess everyone received the tax-funded personnel system, City of Pittsburgh performance audit by the Department of City Controller. I try wherever possible, but I must confess that with the little bit of help I have, staffing, it is almost impossible to get through every audit report. However, if you look at the back of the audit report there are conclusions and recommendations and I think it is incumbent upon this Council and I would like make it in the form of a resolution, that we have every audit reviewed by this Council, have a summary presented by the person doing the audit on the department, the department heads here to say how they are going to enforce those recommendations, or why they think they are unreasonable, and many of the recommendations are not only addressed to the department heads, but to the Administration of the City. What good is an audit if nothing happens? What good is having a Compep report saying we ought to do certain things in departments if nothing is enacted or very little of it is enacted? And what happens, when these reports come in, I don't know how many members of Council read them, but I certainly think it is time that we had some mechanism for inter-acting with the person making the recommendation and the department it is being made to, and I make a motion that I would think that perhaps what we ought to do is make it an official motion, not do it today, Mike, would you prepare that kind of a resolution for us, that we have a post agenda or a hearing on every audit of every department and to the conclusions and recommendations on how

the department plans to act on them, because what is happening is we are going into budget hearings now and we hear -- we don't have enough money, but Lands and Buildings thought it was very, very funny that we don't have anybody to put signs up on vacant lots. We couldn't possibly, with the money we have, even put up 500 signs. Well, I noticed a lot of signs today, because I came, for people running for office, and I know that when Mr. Givens runs he gets his kids out and those signs go up, you can't miss them anywhere in the City, Mr. O'Malley and I have talked about it, for \$500 we get all the signs you want up, and that is not a good enough excuse and we are really falling down on our responsibility and make jokes out of very serious problems. And certainly, recommendations by the auditor on how to improve the departments ought to be discussed all year long, and certainly before budget time.

Now, I also would like to say that I had a note back from Mr. Imhoff that I think is a winner. It states that if we want him to inspect balconies, we'd better tell him where they are and he goes on to say in paragraph four -- "as for the resolution, I have no idea how I can locate all the existing buildings with balconies, etcetera, used for assembly. I would appreciate any assistance Council could lend in this matter."

That's a sad commentary. He goes on to say, "I realize the Kansas City incident has caused concern around the country, the newspapers in Kansas called our office and thought that our system of professional engineer or architect on each job, reporting to the City and being responsible is an excellent way of insuring compliance." But I'm sure the balcony that went up in Kansas City also had an engineer and a city inspector. And it goes on to say, "If Council can clarify which types of buildings and

possible advice where we can obtain a list of such places, we will begin as soon as possible to start the program." Well I'll start him off. How about going over to Alexander Graham Bell's and looking at the balcony on Friday night when it is packed to capacity and people are dancing and moving around on it. Go to Froggy's on Friday night and Wednesday nights and see about the balcony -- the second floor, how stable that balcony is. And I'm sure that other members of this Council go to other places, they could suggest areas that we could be looking into problems.

#### **The Chair:**

You're talking about balconies, Froggy's and Alexander Graham Bell's -- I personally stay out of those places. I'm a tee-totaler myself, I wouldn't be able to go in there.

#### **Michelle Madoff:**

Well I drink water and lime, I'll never get rickets.

#### **Mr. Stone:**

Now that we're finished with the vegetable soup I move that we approve the minutes of Monday, October 19, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Woods**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, NOVEMBER 2, 1981

No. 42

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAE**...Asst City Clerk

Pittsburgh, PA  
Monday, November 2, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Flaherty presented**

No. 4173 Resolution amending Item (M) of Resolution No. 959, approved 10/1/81, for sale of vacant lot on rr. Southern Avenue, designated as B & L 4-

K-231, to Robert J. & Nicoletta L. Luttig, for the sum of \$450.00. Amendment is to correct spelling of former owner's name.

Also,

No. 4174 Resolution amending Item (F) of Resolution No. 960, approved 10/1/81, for the sale of vacant lot on rr. Meadow Street in the 12th Ward, B & L 124-J-104-A, to Joseph D. & Victoria Mainiero, for the sum of \$500. Amendment is to include additional information in the lot description.

Also,

No. 4175 Resolution amending Item (J) of Resolution No. 994, approved 10/13/81, for the sale of a vacant lot on Yetta Street, 24th Ward, B & L 24-A-326, to Edward A. Rau, for the sum of \$250.00. Amendment is to correct Plan lot description.

Also,

No. 4176 Resolution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 4177 Resolution providing for the issuance of a warrant in favor of City

Construction Company in the amount of \$1,692.00 for "Extra Work" furnished for the benefit of the City in connection with the reconstruction of the Franum Street Bridge. Funds available in C.A. PW 80-32, 4-01-30-0001-80.

Also,

No. 4178 Resolution providing for the issuance of a warrant in favor of Dan Construction Co., in the amount of \$17,592.98 in payment for "Extra Work" furnished for the benefit of the City in connection with the widening and repaving street intersections at Spring Garden-Chestnut Street area; and providing for the payment thereof, funds are available in Code Account PW 81-30, 4-01-30-0001-81.

Also,

No. 4179 Resolution providing for the issuance of a warrant in favor of Anthony Crane Rental, Inc., in the amount of \$6,364.89 for the rental of 140 ton crane and the services of related personnel, furnished for the benefit of the City without previous authority of law and providing for the payment thereof, funds available in Code Account 1612-5, Rental of Equipment.

Which were severally read and referred to the Committee on Finance.

Also,

No. 4180 Resolution amending Resolution No. 257, approved March 13, 1981, effective March 23, 1981, entitled, "Providing for a contract/s or use of existing contracts for the rental of equipment and payment for miscellaneous services in connection with the City's Capital Construction Division" by increasing the authorized amount from \$57,800.00 to \$67,800.00, payable from PW 80-36, Department of

Public Works.

Also,

No. 4181 Resolution further amending Resolution No. 1229, approved December 29, 1980, effective January 1, 1980, as amended, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program" by redefining the funding sources; PW 80-03, Crane Avenue, PW 80-25, Sewer Repairs-Various and PW 80-32, Miscellaneous Repairs to Streets and Structures.

Also,

No. 4182 Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended, entitled "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program," by redefining the funding sources; PW 81-08, Brownsville Road, PW 81-27, Churchview at Sankey, PW 81-39, Purchase of Right of Way - Various Locations and PW 81-30, Miscellaneous Repairs to Streets and Structures, NPA.

Also,

No. 4183 Resolution changing the name of a portion of Scorer Street from Interboro Avenue to its southeasterly terminus, in the Thirty-First Ward of the City of Pittsburgh, to Parkside Drive.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 4181 Resolution providing for the issuance of a warrant in favor of M. DePasquale, Inc., 4740 Wallingford Street, Pittsburgh, PA 15213, in the



amount of \$4,000.00, chargeable to and payable from Capital Budget Account No. WD-81-18 (4-05-25-0001-81), Department of Water, for removal and relocation of flanged nipple and lead joint reducer.

Which was read and referred to the Committee on Finance.

Also,

No. 4185 Resolution 4185 Resolution amending Resolution No. 616, approved July 2, 1981, providing for an Agreement with the Borough of Blawnox for water supply, by providing for second metered connection in Fairview Street, O'Hara Township.

Also,

No. 4186 Resolution providing for an agreement with the Borough of Millvale for water supply through a metered connection to the City of Pittsburgh's 60" water main in Grant Avenue in the Borough of Millvale.

Also,

No. 4187 Petition from the residents of Davenport Street objecting to the lack of water pressure leading into their homes.

Which were severally read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 4188 Resolution authorizing the issuance of a warrant in favor of Foutz Zoological Company, Inc., in the amount of \$1,780.00 in payment for the purchase of rare birds, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 4189 Resolution providing for a contract/s or the use of existing contracts for renovations to the Leslie Recreation Building as a Senior Citizens Center; and providing for the payment of the cost thereof, not to exceed \$11,974.53 from P.C. 4-10-05-1400-75-10 (75 CDPR) Senior Citizens Centers.

Also,

No. 4190 Resolution providing for the acceptance by the City of Pittsburgh from the School District of Pittsburgh of certain property in the 25th Ward of the City of Pittsburgh, known as Fineview Tennis Courts, for so long as it is used for public park purposes, for a nominal consideration plus the cost of title examination, recording of deed and other proper closing expenses, and providing for the payment of the same, not to exceed \$500, from P.C. 4-10-10-1496-75-120-75-10).

Also,

No. 4191 Resolution providing for an amendment of the existing agreement/s with the Western Pennsylvania Conservancy for the development of additional community gardens on City-owned property; and providing for the additional payment of the cost thereof, additional cost not to exceed \$10,000.00 payable from PR 81-37, Community Gardens, Department of Parks and Recreation.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. Robinson presented**

No. 4192 Resolution authorizing issuance of a warrant in the amount of \$950.00 in favor of James Karis, Inc., in payment of emergency shoring of building at 5755 Pierce Street without previous authority of law, payable from HB 80-14, Department of Housing.

Which was read and referred to the Committee on Finance.

Also,

No. 4193 Resolution amending Resolution No. 769, approved 8/8/80, as amended, "Providing for a Supplemental Agreement/s with Opportunities Industrialization Center, Inc.," by increasing the authorized amount from \$1,792,300.00 to \$2,117,469.09 in connection with Small and Minority Contractor Assistance Program, payable in amounts indicated from Trust Funds listed therein.

Which was read and referred to the Committee on Planning, Housing & Development.

Also,

No. 4194 An Ordinance amending the Pittsburgh Code, Title Nine, Zoning District Map No. 12, by changing from "R4" Multiple-Family Residence District to "I-C" Institutional-Civic District, all that certain property bounded by: Terrace Street; Lothrop Street; the "R4" Zoning District Boundary Line located north of Fifth Avenue; and Darragh Street, 4th Ward.

Also,

No. 4195 Resolution approving a Conditional Use under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, to the University Health Center of Pittsburgh, Inc., and Eye and Ear Hospital for authorization to

construct and expand certain hospital facilities on property zoned "I-C" Institutional-Civic District, as bounded by: Fifth Avenue, Darragh Street, Terrace Street and DeSoto Street, 4th Ward.

Which were read and referred to the Committee on Planning, Housing & Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 4196 Resolution approving renewal of a Conditional Use Exception (originally Resolution No. 650 of 1980 under provisions of the Zoning Chapter, City Code 905.03 (c)), for construction of a four-story and basement Institutional Facility, for Lemington Home for the Aged, located at 1625 Lincoln Avenue, 12th Ward.

Which was read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone** presented

No. 4197 Resolution providing for the issuance of a warrant to David Brown, c/o Jerome M. Libenson, Esquire, 10th Floor, Frick Building, Pittsburgh, PA 15219, in the amount of \$1,200.00 in full settlement of claim for personal injuries resulting from an accident on June 13, 1980, at the Forbes Avenue Bridge, Pittsburgh, PA.

Also,

No. 4198 Resolution providing for the issuance of a warrant in favor of Hewlett Packard Company in the amount of \$9,406.00, for the cost of three data entry display stations without previous authority of law, Interim Approval granted as per letter of intent, dated October 7, 1981.

Also,

No. 4199 Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency, Three Parkway Center, Pittsburgh, PA 15220 in the amount of \$1,500.00, in payment of Self Insurer's Bond for Workmen's Compensation for the period April 26, 1981, to April 26, 1982, and providing for the payment thereof, payable from Code Account No. 44, Worker's Compensation, Department of City Treasurer.

Also,

No. 4200 Resolution providing for an Agreement/s with On-Line Systems, Inc., for professional computer programming and data processing services as a means for complying with the U. S. Department of Labor reporting and tracking requirements under the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof, at a cost not to exceed \$75,000.00, payable from CETA Trust Fund, Federal Funds.

Also,

No. 4201 Communication from John E. McGrady, City Controller, submitting the Sinking Fund Commission Annual Report as of September 30, 1981.

Which were severally read and referred to the Committee on Finance.

#### **Michelle Madoff:**

Mr. President, on the bills that were introduced today in my department, I think it is going to be imperative that before the budget hearings, we have some kind of a review process with the people in the Water Department. I am first of all going to meet with the Water Director, but I met with a number of the people who are in the Water Department, it seems that things are in very, very bad shape, much worse than we ever anticipated, because of the lack of funding. There have been a lot of rumors circulating that we have divided up some of the Public Works Department into the 5th and 6th Districts, they were wiping them out, which was not true, they were just not hiring because of the freeze and didn't hire a supervisor, but in the Water Department we have a situation that we have gone from 20 valve repairmen to four and there is something like, I don't remember whether it was 6 or 60,000 valves between the main and the curb that are being repaired by four people, and obviously it is because there is just no money in the kitty. It is a very serious situation and I think we are going to have to start thinking before we get through this year's budget about going to a Water Authority.

#### **REPORTS OF COMMITTEES**

##### **Mr. Stone presented**

Bill No. 4203

Report of the Committee on Finance for November 28, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4072

Resolution entitled, "Resolution transferring One Hundred Thirty Thousand Dollars (\$130,000.00) from Code Account No. 57, Social Security Fund to Code Account #1362-2 Electric Current, Department of Lands and Buildings."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Aves:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Which was read.

Also,

Bill No. 4081

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Scott Brothers Equipment Inc., R.D. #1, Box 200, Coraopolis, PA 15108, in the amount of \$2,504.21 in payment for Repair of a Back-Hoe Loader furnished for the benefit of the City and

providing for the payment thereof."

Which was read.

Also,

Bill No. 4082

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Thomas DiDiano Construction, Inc., in the amount of \$5,700.00 in payment for work performed at Westwood Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4083

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Andrew Metz Plumbing in the amount of \$412.85 in payment for work performed at Manchester Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4084

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Westinghouse Electric Corporation in the amount of \$3,452.44 in payment for emergency repairs of the electric walk at the Pittsburgh Zoo, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 11                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4091

Resolution entitled, "Resolution transferring the sum of \$10,000.00 from Code Account 1422, Supplies, Emergency Medical Services, as follows: \$10,000 to Code Account 1421, Miscellaneous Services, Emergency Medical Services."

Which was read.

Also,

Bill No. 4103

Resolution entitled, "Resolution transferring the aggregate sum of \$58,094.90 from various CETA Trust Funds into Code Account 44, Workmen's Compensation to reimburse the City for Workers Compensation benefits paid to CETA enrollees." (AS AMENDED IN COMMITTEE)

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4104

Resolution entitled, "Resolution providing for the issuance of a warrant to Terry C. Patterson and Marilyn Patterson, care of Robert J. Trageser, Esquire, Chatham Center Tower, Pittsburgh, PA 15219 in the sum of \$25,000.00 in full settlement of a claim for personal injuries and providing for the payment thereof."

Which was read.

### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4124

Resolution entitled, "Resolution amending Resolution No. 208 of 1976, as amended, which approves the appointment of specific Attorneys to serve as Legal Advisors to Pittsburgh City Council, by adding the name of Mark Schwartz, Esq., to serve as one of the Legal Advisors."

Which was read.

Also,

Bill No. 4125

Resolution entitled, "Resolution transferring \$3,000.00 from Code Account No. 1706, Equipment to Code Account No. 1704, Supplies, Department of Water."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the

bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4129

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of VicNor Farms, Inc., in the amount of \$3,858.00 in payment for Sod at Point Park in connection with the Summer Symphony, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods

Mr. O'Malley

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 4204

Report of the Committee on Public Works for October 28, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4076

Resolution entitled, "Resolution granting unto the Oliver Tyrone Corporation, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense, an electrical vault in a portion of Fort Pitt Boulevard, near Chancery Way in the First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4077

Resolution entitled, "Resolution granting unto Mr. Stephen A. Alber and Arthur V. LoCasale, in the 17th Ward of the City of Pittsburgh, their successors and assigns, the privilege and license to continue to maintain and use, at their own cost and expense, for the duration of the present structure, that portion of 52 South 12th Street encroaching on Bedford Square."

Which was read.

Also,

Bill No. 4078

Resolution entitled, "Resolution further amending Resolution No. 1269, approved November 3, 1978, effective November 6, 1978, as amended by Resolution No. 1411, approved December 14, 1978, effective December 19, 1978, entitled, 'A Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the preliminary design for replacement of the Bloomfield Bridge; and providing for the payment of costs thereof; and providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation', by decreasing the project allocation by Eighteen Thousand Nine Hundred Six Dollars and Thirty Seven Cents (\$18,906.37)."

Which was read.

Also,

Bill No. 4079

Resolution entitled, "Resolution amending Resolution No. 1068, approved October 2, 1978, effective October 4, 1978, entitled, 'Providing for a Contract or Contracts in connection with the demolition and replacement of the Elizabeth Street Bridge; and providing for the payment of costs thereof', by decreasing the total allocation by One Hundred Forty Thousand Seven Hundred Forty One Dollars and Sixty One Cents (\$140,741.61)."

Which was read.

Also,

Bill No. 4118

Resolution entitled, "Resolution providing for a contract or contracts for the repairs to the Schenley Park Bridge over Panther Hollow, including work on private property and other work incidental thereto; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 4205

Report of the Committee on Planning, Housing & Development for October 28, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative

recommendation,

Bill No. 3800

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 11 by changing from 'R3' Multiple-Family Residence District to 'R2' Two-Family Residence District all that certain property bounded by: Stanton Avenue; Dresden Way and Fifty-Second Street, 10th Ward."

Which was read.

**Mr. Stone:**

Is this supposed to go to Code Review first, or --

**Mr. O'Malley:**

It goes to the Review Board first.

**Mr. Stone:**

I just saw something, wait a minute -- 3800 --

**Mr. Robinson:**

Then it shouldn't be in there.

**Michelle Madoff:**

What bill are we talking about please?

**The Chair:**

3800.

**Mr. Perry:**

That's a zoning change for Stanton and Dresden Way.

**Michelle Madoff:**



Well we're moving to -- Jim, aren't we moving to send it to the Review Code, but we move on it first, don't we?

**Mr. Stone:**

Just hold on, let's not get it confused now.

**Mr. O'Malley:**

There's a mix up on it.

**Mr. Perry:**

They typed up the wrong file.

**Mr. Stone:**

The number is right but the text is wrong.

Mr. President, let me explain the problem we have so we can get it straightened out here, okay? There is a bill 3800 dealing with a different subject matter, 3800 should go in today.

**Michelle Madoff:**

What is the bill that should be there.

**Mr. Stone:**

He's going to read it right now.

**Mr. Robinson:**

All the bills we have today for final vote belong here.

**Michelle Madoff:**

Including the one marked 3800, but it should have another number.

**Mr. Robinson:**

Right, including the one marked 3800, but there was another bill that Mr. O'Malley was introducing relative to fire prevention and some fines. That bill was referred to Code Review. Due to a clerical error, the impression that you get from reading the papers you have in front of you, that bill is being considered today. It is not being considered today. All of these bills we have today should be here today and should be acted upon.

**Michelle Madoff:**

May I ask a question Mr. President? I know it is pro-forma to send it back to the review committee, but do you recall when we had the bill on smoke alarms that went back to the committee because my bill couldn't pass that day, it would take 45 days and the Mayor's bill could pass? We voted on the Mayor's bill immediately, it still had to go back to the Code Review for some reason, and three months later it still wasn't a bill and he copied my bill. What I want to know --

**Mr. Stone:**

Michelle, that is not the issue right now.

**Michelle Madoff:**

No, no, the issue I want to know -- I want to ask a question, I'm just giving background. What happens on the bill that we are sending back to the Review Committee, that goes back for review, do we get a chance in the very near future to know what progress it is making? Do we really have to send it?

**Mr. Stone:**

Yes, but before we go to side issues, let's go to the issue before us. Let's deal with only the bills that are supposed to be here now.

**Michelle Madoff:**

Allright. I want to know the number on it, will it have a number?

**Mr. Robinson:**

Yes.

Also,

Bill No. 4093

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 16th and 25th Wards of the City of Pittsburgh designatd in the Deed Registry Office of Allegheny County as Block and Lots: 23-E-65, 154, 156, 157, 158, 159, 31-E-131, 135, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4094

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by heirs of Orlando Cecil Thornton, deceased, or properly appointed fiduciary of estate of Orlando Cecil Thornton, deceased and designated as Block and Lot 23-F-130 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4095

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Lucille Carter and designated as Block and Lot 23-E-155 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4096

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by R. R. Dice, trading as G. A. Dice and Son and designated as Block and Lot 23-F-379 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4097

Resolution entitled, "Resolution authorizing the Urban Redevelopment

Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by George Smith and Inez Smith, his wife and designated as Block and Lot 23-F-379A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4098

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Richard P. Guajardo and designated as Block and Lot 23-F-303 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4099

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 20th Ward of the City of Pittsburgh owned by West End African Methodist Episcopal Zion Church and designated as Block and Lot 19-H-185 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been

certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4100

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by John F. Hall and Elizabeth Hall, his wife and designated as Block and Lot 22-K-335A in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4101

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 12th Ward of the City of Pittsburgh owned by Jackson T. Wright and Lillian Wright, his wife and designated as Block and Lot 173-K-30 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

**Michelle Madoff:**

Mr. President, I would like to have a meeting held as soon as possible with Mr. Evers, Mr. Brophy, Mr. Robin, and Steve George because everybody is saying it's a hot potato that somebody else is dealing with, it's not my department, that the reason the sale of properties aren't being posted and that the trust fund can't be used is because somebody else has the authority and I think it would be a good idea, as Mr. George tried to say, get everybody together here and let's get it resolved once and for all because it is insane that we can't get the lots posted and we can't get some of that property generating revenue in the '82 Budget.

**The Chair:**

That's alright Michelle, but that belongs in Motions and Resolutions and we want to finish the vote here.

**Michelle Madoff:**

Well, it's on the bills, I'm going to vote yes on them today, normally I would abstain or vote no, just to register my displeasure, but as opposed to doing that I am going to vote aye on all bills, but I am going to respectfully request that we set up a hearing at the earliest convenience to discuss that, probably during budget time. Mr. Stone will have to address that as to his time frame.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mrs. Masloff presented**

Bill No. 4206

Report of the Committee on Parks & Recreation for October 28, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4085

Resolution entitled, "Resolution transferring \$20,000.00 from Project Code 4-10-05-1490-78 (PR 78-17), Light Langley Field to Project Code 4-10-05-1480-81 (PR 81-14), Security Lights and Light Replacement."

Which was read.

Also,

Bill No. 4086

Resolution entitled, "Resolution repealing Resolution No. 1057, effective October 23, 1980, entitled, 'Providing for an Agreement or Agreements for architectural, engineering or other professional services in connection with the design of the South Side Skating Rink Roof and providing for the payment of

the cost thereof."

Which was read.

Also,

Bill No. 4087

Resolution entitled, "Resolution repealing Resolution No. 146, approved February 13, 1981, effective February 24, 1981, entitled, 'Providing for agreements for personal or professional services and for a contract or contracts, or use of existing contracts for implementing the Neighborhood Festivals Program and providing for the payment of the costs thereof.'"

Which was read.

Also,

Bill No. 4088

Resolution entitled, "Resolution amending Resolution No. 222, approved March 3, 1981, effective March 12, 1981, entitled, 'Providing for an agreement or agreements with partime, as needed, Community Education Instructors in connection with the 1981 Recreation Program of the Department of Parks and Recreation and providing for the payment of the costs thereof, not to exceed \$3,000.00', by increasing the authorization from \$3,000.00 to \$4,200.00."

Which was read.

Also,

Bill No. 4089

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for security lights, lighting replacement and major repair of existing electrical services at

various locations including Clemente Park; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 4207

Report of the Committee on Lands and Buildings for October 27, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4073

Resolution repealing Resolution No. 863, approved 8/25/80, which repealed

Resolution No. 573, approved 5/30/78, for the sale of a 2 story brick house, 7505 Finance Street (13th Ward) 175-B-246-A, to Willie Lee Boykin Etux, for the sum of \$850.00. Resolution is to repeal Resolution No. 863, and reinstate Resolution No. 573.

Which was read.

Also,

Bill No. 4074

Resolution amending Item (B) of Resolution No. 1397, approved 12/31/80 for the sale of a 2 story frame house at 231 Brereton Street, 2nd Ward, Block & Lot 25-P-57, to George McFall for the sum of \$1,500.00. Amendment is to correct the Plan Lot No.

Which was read.

Also,

Bill No. 4075

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### MOTIONS AND RESOLUTIONS

##### Michelle Madoff presented

No. 4028 WHEREAS, the City Controller's Office conducts performance audits of the Department of Personnel and Civil Service Commission and other major administration; and

WHEREAS, said audits contain specific conclusions and recommendations; and

WHEREAS, the public is not timely aware of the issuance of these audits; and

WHEREAS, City Council desires to secure the comments of the Director and the Administration of the Department of Personnel and Civil Service Commission concerning the recommendation of said audit;

NOW, THEREFORE,

BE IT RESOLVED that the President is hereby requested to schedule a public hearing to receive comments concerning the recommendations made by the Controller and viability of their implementation for each and every audit submitted by the Controller.

Which was read.

Michelle Madoff:

Excuse me, there is an error Mr. President, this was written by Danny Pellegrini and he was in a great hurry and I just saw his error in paragraph four: "Whereas the City desires to secure comments of the Director and Administration of the department heads concerning the recommendations of said audits" which should be plural. We are not dealing only with the audit of the Personnel, Civil Service Commission, that is how the subject matter came up. Do you remember we had the audit and I raised the issue. He made his changes but the secretary didn't make that change, so I would like to amend it to say, "Whereas City Council..." we could say should desire, but I'll leave desires -- "desires to secure the comments of the Director and Administration of the department heads concerning the recommendations of the said audits". He just goofed, he changed it, he thought it was just on the one audit.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, we discussed it the other day, I have before me, just at random, my aide and I just looked and we found six audits that had been put in my circular file normally, except they were on the shelf, I tried to take them home and read them in bed, I don't have enough staff to read them and so I read them, so what? We find out, if we go back a year or two later, I've gone back and talked to the Controller, to Mr. McGrady, and he tells me he is upset because a lot of his recommendations, he's never even had a response to as to why they are not implementing them. Certainly as members of this Council, the legislative body, when the Controller makes recommendations, we should find out why they are not being implemented,

maybe they are not good ideas in some cases, maybe there is no money, but we should find out whether it is viable or not viable and what can be done to improve the various departments. Certainly when an audit comes out we ought to have, to make it easy, and to digest it easier, to have the public who is not aware that these audits come out at random, notified with a notice and we ought to have the department heads and the Administration here to discuss the various audits as they come up and say, "How do you feel about the recommendations and the criticisms that have been made and are you going to implement them and if not, why not?" And that is what this resolution in essence says.

**Michelle Madoff** moved for adoption.

**Mr. Flaherty** seconded the motion.

**Mr. Givens:**

Mr. President, discussion. I have to appreciate what Michelle is trying to do and I'm not saying its all not properly in maybe the right direction to go in to get input into government, however, in reading the Home Rule Charter, it is incumbent upon the Controller to perform these performance audits and it is up to the Controller to take his action from his branch of government to enforce what he feels needs to be enforced. Before I would like to pass on something like this, and as I said, I'm not sure it is not the right direction, I would like to get comment from the Controller himself. Here we are within the legislative branch of government, you know, doing something that is an official report that goes out to everyone. Thinking of performance audit, and those that I have received over a number of years, when you have most of the things -- and my reading the various audits have been corrected almost on the spot.

Those that haven't there is assurance that there would be certain action taken, those that could not be corrected because of financial restraints, hiring of additional personnel, etcetera, is something that must be taken up in the budgetary type of consideration.

All the public has the right to ask for a public hearing at any time they so desire on any issue of government including these particular reports. The community organizations that I know of have various people assigned to the various departments within the City of Pittsburgh, if they were not getting a copy of those ordinances, I would so encourage the City Controller's Office to make sure they go out.

I guess what I am trying to analyze here is, do we in City Council want to get involved in something that is of a different part or branch of government within City government and I would like some input from the Controller before I would make input into this particular resolution before it is --

#### **The Chair:**

That was my concern too, as you stated, it's an obligation of the Controller to give us the audit report, we are more or less asking him to come up and say, did he give the report.

#### **Michelle Madoff:**

No sir, I have discussed it with the auditor and I discussed it with Danny Pellegrini of the Law Department. He reviewed the Home Rule Charter; yes, the Home Rule Charter calls for the Controller to make audits, but they are made and they are buried and nobody knows they even exist, and unless somebody --

#### **Mr. Givens:**

I have to disagree with that Michelle. I know they exist and the --

#### **Michelle Madoff:**

The public does not know that they exist.

#### **Mr. Givens:**

The community organizations know they exist.

#### **Michelle Madoff:**

The man in the street does not know that they exist, or the woman in the street, and the fact remains that we still should, when the audit comes out, say to the department head, when they have had ample time to review it, and the department head, are you going to implement, why are you not going to implement, so that when we get to the budget hearings we can deal intelligently. The Law Department has said this is the way to go, the Controller's Office is upset that he puts out these audits and nothing happens, that the recommendations and the comments are not reviewed by this legislative body in public form.

#### **Mr. Givens:**

Are you saying that the Controller puts out this report and you are saying that John McGrady who is the elected official for that particular office is saying that nothing has happened on this?

#### **Michelle Madoff:**

I talked to John McGrady personally and John McGrady told me personally that he makes these recommendations and he doesn't know what happens and that in many cases --



**Mr. Givens:**

I can't agree Michelle --

**Michelle Madoff:**

I do not tell lies, would you like me to take a lie detector test?

**Mr. Givens:**

I'm sure, and that is why I would like to see Mr. McGrady and have him come before this Council and explain his position on it. I really would.

**Michelle Madoff:**

And I think it is irrelevant. The thing that is relevant Mr. President --

**Mr. Givens:**

Michelle, I'm not saying that it is wrong what you are trying to do, I'm just saying I think --

**Michelle Madoff:**

Then why are you afraid to do it? What are you going to hurt by doing it?

**Mr. Givens:**

I have no problem in wanting to do this.

**Michelle Madoff:**

Then what are you going to hurt by having a 10 minute meeting or a 15 minute post agenda meeting that addresses the recommendations and the critique of the department, the department head and the administration saying, "Hey, we can't do it, we cannot do it, this is what we are going to do", and then when we get to budget time we

don't have it all come down on our heads at once. I can't imagine this body not supporting this bill. We discussed it before at a post agenda and it was decided I would submit a resolution and I would have the Law Department write it.

**Mr. Stone:**

Mr. President, first of all we did this just two weeks ago on Parks and Recreation as a post agenda item and Michelle has indicated that she wants a post agenda, but now this thing calls for a public hearing. We are asking for comments and we are asking for comments from directors and administrative heads and it seems to me that this can be handled in the same way we did it the last time with Parks & Recreation and that is to bring them to a post agenda situation. Going into public hearings require a notice and in addition to that, I think Mike has been scrambling now for time for public hearings, he doesn't have enough of space already for public hearings, we may be going into 1982 on public hearings and I just might mention that to everybody, considering the budget and everything else, we're going to have a problem, its a post agenda item, just call for a post agenda, I don't know that we need a hearing.

**Michelle Madoff:**

Mr. Stone, I think your point is well taken. I told you Dan called me and he was going at 90 miles an hour and he was very hassled and he didn't have time to do it and he made this major error. All he was saying when he spoke to me is that a notice should be put out to make the public aware that if they want to come and hear the post agenda they can not necessarily have input, but they could at least observe. They don't even know that an audit has been put out, and they would then come and listen to a post agenda, the same way, or it would

be listed on the mailings that go out. If you care to make some kind of wording that says that just a notification would go out without including public comments, that is fine with me, but I think your concept of handling it as a post agenda is acceptable to me, because if it becomes much more involved, we would normally go on to have a hearing anyway, wouldn't we? If it became greater than a post agenda.

**Mr. Stone:**

I think your resolution is premature, I think we ought to find out — the City Controller has made some recommendations, and they should reply on them before come back, if they are not implemented then we want to know why they are not implemented and then after that decide what we want to do. I think you are one step in front of it.

**Michelle Madoff:**

Well, how do we know if they are going to be implemented? How do we even know that if we never have a post agenda meeting? We had one because you were upset about something that called a post agenda meeting. But if that hasn't happened because somebody says, "Hey I want to have it", it just doesn't happen. There is another approach —

**Mr. Stone:**

Michelle, there are nine of us here, and to my knowledge we are all getting copies of that report and any one of us can call for a post agenda request as I did with Parks & Recreation.

**Michelle Madoff:**

Don't you think, Mr. Stone, that if the public doesn't know that these audits come out that it would be a good idea to

notify them that the subject matter is going to be on for that day, in a notice, so they can come and listen?

**Mr. Stone:**

Yes, but before you go into the public I think you have to find out yourself what is involved and I think that should be done with a post agenda or some inquiry on your own directly to them.

**Michelle Madoff:**

Fine, and I am leaving it at the discretion of the President of Council to call those hearings. I think they should be automatic. Let me tell you why I am saying this —

**The Chair:**

Well, rather than have this resolution voted down, then are you going to withdraw your resolution?

**Michelle Madoff:**

No. I would be willing to amend it to say that just a notice go out saying that the public would be notified but without necessarily having to review or have input. The thing that everybody forgets that happens, sure, I get a report on water, now I should be on top of water, shouldn't I? I've got 12, 13 years of experience in the environment, but I don't have a crystal ball, and it is only when I accidentally bump into some of the people in the Water Department and find out what is really going on that I start to get very concerned, because when I go back to the Director I hear one thing, when I meet with the people, I hear something else. I think it is terribly important that we address these in some kind of an orderly fashion, automatically, when there are specific recommendations made. Perhaps one of

the recommendations made in the Water Department would be that we have valve people to replace valves, or valve repairmen, instead of having 20, we now only have four and ask the Director why we are not doing it, maybe have the valve foreman there. What you are saying is I could call my own post agenda, but I didn't even know what was going on, I only found out by accident. If it is routine that in every audit that is put out by the Controller, that we would have a post agenda and it would not be blown into a full hearing, unless the magnitude of the subject matter indicated that, but I can't imagine that we would pay for these audits, you know they are not done by the Controller, they are done by people that are hired to do them, Elizabeth Nelson did this one, Mark D. Cunningham did these, Kathleen Kraus did this one, Alvin J. Porsche did this one, Elizabeth Nelson did another one -- these are people that are being paid, who have expertise in these fields, so they are written and they are thrown away, or somebody gets them, and we really don't know what the outcome is. It would be like your making a recommendation in Council Mr. President, and never discussing it.

All I am saying is that I would be willing to amend the one, Mr. Stone, "...the President is hereby requested to schedule a public hearing to receive comments", just take "to receive comments" out, or -- the comments, of course, are going to be by -- the comments are obviously going to be by the department heads and the administration, that is where we are going to get out input from, but the public should be there to hear it. The wording can be changed but that would be the premise.

**The Chair:**

Okay, is there a second to the

amendment?

**Mr. Flaherty** seconded the motion.

**Michelle Madoff:**

And it time prevailed, I would love to have a hearing, if the people had input.

**The Chair:**

I have a second to the amendment and I need five ayes.

**Mr. Givens:**

Would someone describe what we are voting on?

**Michelle Madoff:**

I'd be happy to. May I just summarize what we are voting on?

**The Chair:**

Go ahead, if I heard you correctly, you eliminated the public hearing --

**Michelle Madoff:**

Instead of having a public hearing we are going to have post agendas called at the President's discretion, on all audit reports and instead of having public input where they review the reports, they would be notified of the hearing on some format, whether it be the ones that Mike sends out to community groups or a public notice so they can come and listen. But we are going to essentially review the recommendations and conclusions of all the audit reports as a legislative body.

**Mr. O'Malley:**

May I ask a question?

**Michelle Madoff:**

Certainly.

**Mr. O'Malley:**

Instead of that Michelle, you have the authority to call a post agenda anytime you like.

**Michelle Madoff:**

The problem is that I don't know when you get a report, you don't know when I get one, or whether it is any good, or whether you are trusting me to have input, I find out in my department I don't know what is going on because I'm not being told. I didn't know there was discussion of having a water authority.

**The Chair:**

The gist of it here Jim, is she is saying the public should be informed.

**Michelle Madoff:**

And we should know --

**Mr. Flaherty:**

I have a comment. We on this Council, traditionally, have made it extremely convenient for anyone that is a member of our constituency, any organization, any public community organization, to have a public hearing. I cannot understand what all the uproar is because one of our colleagues agrees to have a public hearing, even though we may not agree with the validity of the subject. It just seems to me that we should extend the same courtesy that we extend to virtually everyone else, that we should extend the same courtesy to one of our own.

**Mrs. Masloff:**

I think we should have an opportunity for the department heads to hear these things first before we get the public involved because a lot of misinformation goes out, let's get the answers from the department heads first.

**Michelle Madoff:**

That's why I amended it to say that we just let them know the hearing is here, they can come and listen to both sides. All I am saying is we got a report, let's hear what the departments and let's hear what the administration says about the recommendation and the conclusions, I don't think that is very complicated.

**Mr. O'Malley:**

Post agenda.

**Michelle Madoff:**

Right, I agree with Mr. Stone on that.

**The Chair:**

Allright, give me five ayes on the amendment, please.

**Mr. Stone:**

Mr. President, so there is no confusion, if she calls for a post agenda I think she ought to get it.

**Michelle Madoff:**

I've said it.

**Mr. Stone:**

The resolution in the present form, I would vote against and I am telegraphing.

**Michelle Madoff:**

You don't have to telegraph, just

**The Chair:**

Well, in all fairness, I think she has amended it to eliminate the public hearing --

**Michelle Madoff:**

So what you are saying then, Mr. Stone, is from now on, everytime there is an auditor's report from any department, I can call a post agenda?

**Mr. Stone:**

Well, it seems to have more sense than one that says we want everyone to come here, because if it is a routine thing, why should we lose the time.

**Michelle Madoff:**

I don't think it is routine, I think it is the gut of city government. When you have an auditor's report reviewing a department, with the fiscal situation of this community, and all eastern cities, and you are not saying it should be mandatory, it should be absolutely vital, it should be the first order of business, to review the Controller's Report on conclusions and recommendations, then I think we have fallen down on our job. I call for a vote.

**Mr. Givens:**

Mr. President, I have a resolution in front of me which was not voted on and was amended, but I heard another one prepared from the floor --

**Michelle Madoff:**

We are voting on the one from the floor that I summarized.

**The Chair:**

Wait a minute, where are we at now? She made two amendments -- one we have approved --

**Michelle Madoff:**

I made a clarification, it was seconded, we are voting on the clarification.

**The Chair:**

She has made another amendment, we are voting now to approve or disapprove then we will vote on the resolution as amended.

**Michelle Madoff:**

Mr. President, you asked me --

**Mr. Givens:**

This is what is before us right now.

**Michelle Madoff:**

That is not what is before us right now. I summarized --

**The Chair:**

She has amended it in two instances, one you have approved and the second you are voting on.

**The Chair:**

One minute -- there are four people talking at one time, Michelle.

**Michelle Madoff:**

Mr. President, with due respect, what I am asking is that we not vote on this because Mr. Stone made a change and I agreed to the change on the public

aspect of input and on Sophie's comment that maybe we ought to have them just listen before we have a hearing if we need a hearing. I summarized it --

**Mr. Givens:**

No, hold on --

**Michelle Madoff:**

No, that's the motion. I'll do it again. The motion is very simple, that we have a post agenda, as suggested by Mr. Stone, on all audit reports, as called by the President of Council, to know what the department heads and the administration, plans to do or not do about the recommendations and the conclusions reached by the Controller's Report, and merely let the public know that that is going to take place, not asking for comments from the public. That's all my recommendation is.

**Mr. Flaherty** seconded the motion.

**The Chair:**

You are still going to have to withdraw the resolution, you are making amendments to a resolution you say you don't want to vote on today.

**Michelle Madoff:**

No, I just summarized the new resolution. This is the one we are going with is the one I just stated orally. It is verbal resolution.

**Mr. Stone:**

Mr. President, so there will be no confusion. I only suggested this be handled as a post agenda item. I did not say that every audit should come as an automatic thing, so I think that --

**Michelle Madoff:**

I did. That's my resolution.

**Mr. Stone:**

Yes, you have your right to do that, but when you are quoting me, I don't want you to have it say other than what I said.

**Michelle Madoff:**

Mr. President, Mr. Stone is within his rights to say that we can just do it the way we want to and call it as we see fit as a post agenda, the problem with that is that I must tell you that I cannot be Xeroxed or cloned, I cannot possibly review without having a staff, any audit that might come before us on Mr. Stone's department or Mr. Robinson's department or Mr. Woods' department, and the only way would be to just automatically, when the Controller's Report comes out, and they don't come out all that often --

**Mr. O'Malley:**

How many reports are we talking about?

**Michelle Madoff:**

Oh, two, three or four a year at the most, that we just automatically have a review of those audits. Whether we do it as a post agenda, I'm willing to back off -- I'm calling for a vote on my oral resolution which is seconded. And then if we need a public hearing --

**The Chair:**

Are we going to vote on the amendment?

**Michelle Madoff:**

Sir, we are voting on the -- I'm rescinding everything and I'm just --

**The Chair:**

Do you have a second? I'm calling for a vote on the amendment, and then you are going back, Michelle, and you are telling me --

**Michelle Madoff:**

Mr. President, I am rescinding everything and giving my oral -- I gave an oral resolution which was seconded by Mr. Flaherty that I think everybody understands clearly. So that we don't confuse it with this, I have given it oral, twice now, I have summarized it.

**The Chair:**

Allright, you just want to vote on the oral resolution.

**Michelle Madoff:**

That's right sir, I have included everybody's concern.

**The Chair:**

Allright, does everybody understand Michelle's oral resolution which was seconded by Mr. Flaherty?

**Michelle Madoff:**

If they don't they are sick.

**Mr. Givens:**

Its the one before me right now.

**Michelle Madoff:**

No it isn't, we've rescinded that.

**Mr. Givens:**

It was seconded. Who seconded it?

**The Chair:**

No, there was an amendment that was seconded an passed, then she made another amendment and we have not had a vote on this.

**Mr. Givens:**

We never voted on it.

**Michelle Madoff:**

No.

**Mr. Givens:**

It was just seconded, that's all. Then we have an amendment, then the amendment was seconded, now this is the -- it can't be amended --

**Michelle Madoff:**

I recalled the resolution and the second.

**The Chair:**

We can simplify the matter by please, read the resolution out of the record, take it out of the record, and then we will go on to your oral resolution.

**Michelle Madoff:**

I have rescinded the original resolution and the amendment to the original resolution.

**Mr. Flaherty:**

I withdraw both of my seconds to the motions, on the original resolution and the amendment.

**Michelle Madoff:**

I have now stated the oral resolution and I have a second to the oral resolution, can we vote on that?

**The Chair:**

Michelle, the resolution was read by the Clerk, we need a motion to rescind the resolution.

**Michelle Madoff:**

I have made that sir.

**The Chair:**

Okay, we need a second on the motion to rescind the original resolution.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**The Chair:**

Okay, we've got that now.

**Michelle Madoff:**

Now we are voting on the oral resolution only, and I have a second to that with Mr. Flaherty.

**Mr. Givens:**

I am voting no because I feel that this Council at any time can call a public hearing, anytime can call a post agenda.

**Michelle Madoff:**

I will see that the public knows that these audits come out and that they have not been privy to them, and having input to listen.

**Mrs. Masloff:**

I am also going to vote no, I think if we have any questions, we can have a

post agenda.

**The Chair:**

I have mixed emotions, but apparently my colleagues feel they should vote it down, so I will vote no also.

**The Chair:**

Is there any further discussion on the oral resolution?

And on the question, "Shall the oral resolution be approved, as amended?"

The ayes and noes were taken agreeably to law, and were:

**AYES:**

Mr. Flaherty  
Michelle Madoff

**NOES:**

Mr. Givens  
Mrs. Masloff  
Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

**ABSTAINING:**

Mr. O'Malley

AYES 2  
NOES 6  
ABSTAINING 1

And a majority of the votes of Council not being in the affirmative, the oral resolution was defeated.

**Michelle Madoff:**



---

I'm trying to find the last performance audit by the Controller. I don't have it here. When I find it I will ask for a post agenda, I have all of the others, '80's, '81's.

**Mr. Stone** moved to approve the minutes of Monday, October 26, 1981.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, NOVEMBER 9, 1981

No. 4

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Ass't City Clerk

Pittsburgh, PA

Monday, November 9, 1981

#### PRESENT:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### The Chair:

Would Councilwoman Masloff and Councilman Stone please escort Mayor Caliguiri in to deliver his 1982 budget address. On behalf of Council and all of the interested citizens here today, I would like to welcome the Mayor and Mrs. Caliguiri, and without any further

adieu the Mayor will give his budget presentation. Mayor.

#### Mayor Caliguiri:

Thank you. Mr. Council President, Members of Council, Members of the Administration, friends and citizens.

Over the last four and one half years I have been privileged on numerous occasions to report to the people of Pittsburgh on the progress and exciting physical improvements taking place in our City.

I have done so with a feeling of pride and accomplishment — a feeling that I knew was shared by all Pittsburghers.

And, while I could recount today at great length the long list of our noteworthy achievements over the past several years, I am obliged instead to bring to you more disconcerting news on the serious budget problems we all must face — problems that have become obvious to all during the last few months.

In some 25 years in City government, I have never faced a greater responsibility or more frustrating experience than I have in the preparation of the 1982 Operating budget.

It has been evident for some time that this City — like many others throughout the nation — was on a collision course with our inflation-plagued national economy.

Such a dire prospect has surfaced time and time again. It has been a recurrent threat to the economic vitality of this community for over two decades.

Throughout the sixties inflation-battered budgets were shored up with a steady stream of tax increases; in the seventies these deficiencies were cushioned by an \$11 million real estate tax increase, various austerity moves and a heavy influx of federal funds used to supplement the General Fund budget and the reduced work force.

When I took office in 1977, I soon found that my options to deal with similar crises were quite limited. I could not count on City revenues keeping pace with inflation or a substantial increase in real estate collections because of property reassessments.

In fact, the assessed value of real property, including both land and buildings, has actually decreased one quarter of one percent during the four years I have been in office.

I need not tell you what that has meant for a City that relies heavily on the property tax particularly during a period when the rate of inflation has averaged 10 to 15 percent each year.

During the same period Washington has reduced substantially its financial assistance to local governments, requiring the City to assume the costs of many services that were formerly supported with federal funds or to drastically decrease the City work force which would surely have impaired essential City services.

All of this was compounded by double digit inflation.

Our awareness of this ever-present threat to the City's economic

stability was reflected throughout my previous budget messages and on each occasion we were confronted with specific financial setbacks.

In my first budget for fiscal 1978, I cautioned that while we were holding the line on taxes that year such fiscal miracles could not be worked endlessly and that the economic odds surely would be stacked against us if we took no immediate steps to broaden our tax base as inflationary pressure continued unabated.

Last year when I appeared before you, I warned that the price of providing services not only for our own residents but for literally millions of non-residents was already high and getting higher. To illustrate the inflationary effect on City tax dollars, I pointed out that in the previous four years local revenues increased by 22 percent while expenditures grew by nearly 39 percent and the inflation rate for that period was more than 46 percent.

As I have stated, the alternatives for keeping pace with the spiraling inflation were few. One positive alternative was to re-establish the public-private partnership that was the successful catalyst for Pittsburgh's first Renaissance. I began marshalling all of our human and economic resources and initiated Renaissance II. As this effort took hold, the private sector began investing millions of dollars or its own capital in major building projects.

Its economic potential provides assurances for sizeable new tax revenues and thousands of new job opportunities in the years ahead.

But at the same time, I knew that such financial help would only be a partial solution and not a cure-all for the City's financial distress.

It was obvious that the most effective solution was some form of broad-based tax and revenue sharing program -- a program that would recognize Pittsburgh as the regional center that it is and would provide shared revenues for shared responsibilities.

At present the City has only one major growth tax -- the wage tax -- and it can only be imposed on those living in the City. And, in reality, that tax has not come close to keeping pace with inflation -- declining from an annual growth of eight percent in 1977 to only 4.28 percent in 1981.

It is totally inequitable to expect an area of 55 square miles to support an area of 3050 square miles -- serving as the conduit and terminal for employment, health, education, entertainment, culture, traffic and the like, unless a broader tax base is furnished for governmental income to meet these matters of regional importance. And to make matters worse, more than 33 percent of the assessed property in Pittsburgh is tax exempt.

In an effort to develop such tax relief, I wrote to the Governor's Tax Commission in November, 1979, explaining in detail the City's extensive and costly responsibilities as a regional center. I pointed out that many of these services are supported in the main by City tax dollars -- for City residents and some three million area residents alike.

The extent to which non-residents avail themselves of these services is outlined in the preliminary findings of a recent survey conducted by the Pennsylvania Economy League. For example, approximately 60 percent of the City's work force lives outside the City as does the same percentage of

shoppers; 66 percent of the hospital patients are non-residents; over 85 percent of the zoo patrons live outside the City as do 60 percent of the visitors to the City-maintained and financed Aviary and Conservatory. Cultural events at Heinz Hall -- the symphony, opera and ballet -- attract a predominantly non-resident crowd ranging from 65 to 75 percent. And while the City does realize amusement and parking tax receipts from non-residents as a result of these activities, they are not nearly sufficient -- by a long shot -- to defray the expenses the city incurs as a regional center.

While we are pleased that the City remains a focal point for these activities, I would hope that non-residents would recognize the financial burden we are carrying -- a fact that will become more apparent in this 1982 budget report -- and support our legislative efforts to have the costs spread more equitably.

Included in my communication with the Tax Commission were recommendations on two specific revenue-raising concepts, including a payroll tax on all those employed within a governmental jurisdiction regardless of residency with the right of the tax district to impose the tax, or, in the alternative, a broad-based state revenue sharing program.

The Commission considered these suggestions and has recommended a program to the Governor which would provide the broader local government tax base we are seeking.

In a follow-up action, I proposed a comprehensive state legislative program which included proposals to raise the 15-year old \$10.00 Occupation Tax to \$40 and to eventually eliminate this tax through the adoption of an employment

tax based on a percentage of wages with the situs of the tax being the place of employment.

This tax package still awaits legislative action.

The fact that we have failed to gain the tax relief we so desperately need has placed us in a most difficult financial position -- one that finds us today confronted with a substantial budget imbalance.

The budget before you recounts an annual and familiar saga of an ever-widening chasm created by rising government costs consuming a rigid revenue base -- a situation dictated by a combination of high inflation and various other uncontrollable economic forces.

It describes the relentless toll inflation continues to take in every conceivable area of municipal financing ... in the level of wage and salary increases for employees granted either through arbitration awards or collective bargaining ... in the soaring costs of employee fringe benefits such as Social Security, Workers Compensation, pensions and hospitalization ... in the escalating costs of lighting our streets, recreational facilities and public buildings; in heating and lighting these facilities ... for gas and oil to operate our vehicles -- for everything from postage stamps to fire rigs, the cost of government are skyrocketing.

The City today is negotiating with seven of its unions representing over 3,700 employees. Only the School Crossing Guards and the Firefighters have labor agreements which extend beyond December 31 of this year. As a result, the City must anticipate substantial wage and salary demands as our employees -- like those in the private sector -- try to keep up with the effects

of inflation.

I have set aside \$7 million for unsettled labor contracts and will advise Council when and if agreements are reached so that the proper salary amounts are appropriated.

I will also recommend to Council an increase for non-union employees when we have a clearer picture of settlements with our organized employees.

While inflation ravages the expenditure side of the budget, a long list of negative economic forces have been gnawing at the revenue side. These include the recent cutbacks in federal funding -- with the prospects of more to come; the court-ordered reduction in property assessments and massive real estate exonerations; losses incurred from the major league baseball strike; the declining housing market and related losses in deed transfer taxes.

With costs tied to the rate of inflation and revenues basically static, it is small wonder that the City of Pittsburgh faces a large budget gap this year and will continue to do so until its underlying financial support and revenue-raising capacity is broadened.

But until that occurs we are compelled to live and deal with our own financial plight with the tools we have at our disposal presently.

The magnitude and gravity of the situation is reflected in the status of the 1982 Operating Budget and the extraordinary measures we must take to balance it.

The recommended 1982 budget currently stands at \$223.76 million.

Our estimated revenues for the

coming year are \$170.74 million plus a year-end surplus of \$4.06 million.

This leaves an estimated gap of \$48.96 million.

This alarming imbalance is the creature of many of the inflationary factors I have already summarized and a general downturn in the local economy which affected both our 1981 and 1982 revenue expectations.

Let me review for you briefly the primary reasons for this large deficiency --

In 1982 we anticipate a decline in various tax revenues of an estimated \$13.06 million. These can be summarized as follows ... \$6.95 million in real estate revenues due to massive assessment reductions ... \$700,000 in interest earnings projecting lower interest rates and a smaller average cash balance in the coming year ... \$500,000 in amusement taxes due to a drop in attendance at theaters and sporting events ... \$730,000 in parking taxes due to a temporary loss of parking spaces as a result of Downtown development -- \$1.69 million in water revenues due to lesser demand and \$2.49 million reflecting a decrease in other revenue sources due to the general economic decline.

Our additional needs to fund various non-departmental and departmental costs in 1982 include \$8.2 million for debt service ... \$8.5 million for employee fringe benefits (Workers' Compensation, Social Security, pensions, hospitalization, etc.) and \$1.3 million for other non-departmental costs ... \$9.2 million for salaries and wages (this includes \$7 million for unsettled labor contracts) ... \$2.9 million for utilities (light, gas, oil, gasoline) ... \$1.7 million for equipment (police, fire, EMS and

various other City service vehicles) ... \$1 million for the City garage (maintenance parts, etc.) ... \$900,000 for water charges and \$2.2 million for other departmental non-salary expenditures.

The grand total of these additional expenditures for 1982 comes to \$35.9 million.

The enormity of this budget deficiency obviously calls for drastic action -- forcing upon us difficult but unavoidable decisions affecting the administrative operations of City government, our employees and every resident of the city.

The critical nature of the situation is such that I am proposing a number of departmental changes geared primarily, on the one hand, to cut costs without seriously impairing services and, on the other, to improve the management efficiency of City government.

Let me outline for you some of the proposed changes I am recommending: ... the expansion and enhancement of the Urban Redevelopment Authority into the Housing and Redevelopment Authority of the City of Pittsburgh to provide a single focus for all housing and economic development activities in the City. This will mean the elimination of both the Department of Housing and the Department of City Development and the assumption of these responsibilities by the Authority.

I will ask the Authority to hire the employees to be terminated from the City by this move on January 1, 1982. Also, the Bureau of Building Inspection will be transferred from the Housing Department to the Fire Department to better coordinate the City's building and fire inspection responsibilities.

... the creation of a Department of Finance, which will consist of the present Treasurer's Office and the Budget and Research Office. The monitoring of the Capital Budget will be assigned to this department. This action will centralize the financial operations of the City and better enable it to address the serious financial problems we face with sophisticated management techniques.

...the relocation of all non-finance related functions presently under the supervision of the Treasurer's Office. Parking Meter Patrols will be assigned to the Police Department, the Water Assessors to the Water Department, and the Parking Meter Repair Division will be eliminated with the operation being assumed by the Parking Authority.

...the institution of an annual wage tax filing requirement for all City wage earners to ensure that the City and, therefore, the public is receiving all of the taxes to which it is entitled. While the vast majority of City taxpayers pay their full share each year, unfortunately, some do not.

By comparing our returns with computer tapes containing state income tax information we will be able to identify earned income not reported to the City and take appropriate action to collect the taxes due.

The small inconvenience of completing a simple form will ensure that everyone pays his or her fair share and could mean several million dollars in additional revenue to the City.

I am also recommending:

...transferring the labor relations responsibilities from the present Budget and Research Office to the Department of Personnel and Civil Service.

...instituting curbside refuse collections and the elimination of backyard pick-up except for those who have verifiable physical limitations.

...the elimination of one Public Works maintenance division — from the current 6 to 5 — with the resultant savings and improved flexibility of work assignments.

...elimination of one Recreational Activities Division.

I want to emphasize, at this point, that all of our Senior Citizens programs will be fully funded.

...scaling down City funding for all Parks and Recreation summer programs with the expectation that we will be successful in attracting private corporate and foundation dollars to support these activities.

...an increase in funding less than that requested by Carnegie Library, which will mean a cutback in library personnel and operating hours.

...the continued expansion of the role of the City's newly retained outside administrator to bring under control our spiraling Workers' Compensation costs. The administrator has been charged with the responsibility to improve the safety of the work place, develop a physical rehabilitation program to return injured workers to the job as quickly as possible, and to ensure that those on compensation truly deserve to be there.

...elimination of the Bureau of Tests in the Department of Supplies and transferring its asphalt and concrete testing functions to the Public Works Department and providing for the testing of other materials and equipment by private testing labs as a regular part of City specifications.



...creation of a motor pool in the Department of Supplies to better control the use of City cars in order to reduce fuel and maintenance costs.

...the already announced redeployment of police personnel and equipment to provide increased visibility in our neighborhoods and improved police accountability.

And today, I am directing the Fire Chief and his chief officers to develop a reorganization plan in the Fire Department which will redeploy existing personnel and equipment to provide for improved response time, reassign fire alarm responsibilities and redesign the City's fire zone system. The goal I have set for the Chief is to develop a plan that will provide increased flexibility and will, quite simply, put more firefighters on the scene faster.

The implementation of these recommendations will provide an estimated savings of \$4 million, without which a tax increase beyond the recommended \$48.96 million would be necessary. In addition, the budget calls for a net reduction in the work force of 196 funded positions of which approximately 150 have already been vacated as a result of the hiring freeze I ordered last January.

Unfortunately, this means that approximately 90 employees are scheduled for lay-off from the City, beyond those we expect to be picked up by the Housing and Redevelopment Authority and Parking Authority after the first of the year. Approximately 45 of the 90 laid-off employees will have the opportunity to apply for vacancies opened by the creation of the City Motor Pool, the assumption of lot clean-up responsibilities by regular City forces, and the filling of various other vacancies shortly after the first of the year.

The lay-offs include 81 employees in the Environmental Services Department because of the change to curbside collections; the elimination of one position at the Zoo; and 6 positions in Supplies with the elimination of the Bureau of Tests. An additional 19 employees in the Personnel Department have or soon will be laid-off because of the cutbacks in CETA funds.

While I greatly regret the need to lay off any employees, unfortunately, we have no other recourse as we seek to cut costs and minimize an already large budget gap.

This seems like an appropriate place to respond to those critics who charge that the City is experiencing financial problems because of a bloated payroll produced by unrestrained hiring practices.

Nothing could be farther from the truth.

As a matter of fact, since 1970, the City has experienced a substantial reduction in its tax-supported work force from 6,500 at the start of the decade to approximately 5,300 today. We have cut and pruned the work force until it hurt -- and we will continue to do so if we must -- but let it never be said that we didn't do our part before we asked for help.

On the Capital Budget side, drastic action is also necessary to keep our financial house in order.

To stretch existing capital funds, I am declaring today an indefinite moratorium on all but essential or outside funded capital construction projects, such as bridge and road reconstruction and water and sewer line work, among others.

This could mean the deferral of

more than \$40 million in projects scheduled for late 1981 and 1982, until it is prudent and necessary to borrow additional capital funds or federal reimbursements are received and available to proceed with other projects.

Vital infrastructure improvements will proceed, however, as will projects that have substantial outside funding.

Having scrutinized all City operations and determined the most effective way to reduce administrative costs we began piecing together the balance of the financing program -- finding ways to close the appropriations-revenue gap in a responsible and equitable manner.

To achieve this, I am proposing the following tax package:

**REVENUE SOURCE**  
**INCREASE**  
**ESTIMATED YIELD**

Real Estate  
(Buildings)  
15.25 mills  
\$15.5 million

Earned Income  
1 percent  
\$22.1 million

Business Privilege  
1 mill  
\$2.2 million

Mercantile-Retail  
1 mill  
\$1.9 million

Parking  
5 percent  
\$1.26 million

Deed Transfer  
1/2 percent  
\$1.0 million

Water Rates  
50 percent  
(across the board)  
\$5.0 million

It is estimated that this package will cost the average City taxpayer, who owns a home and earns \$15,000 per year, less than \$275 in additional taxes and water charges during 1982.

There is little that I can do at this point to soften the impact of the discouraging budget message I have had to give today.

The facts and figures are there and for better or for worse we must live with them.

But we cannot allow ourselves to focus on the negative or to lapse into inaction.

I intend to move with even greater determination on all of our Renaissance II projects -- projects that are vital ingredients to improve our housing stock and broaden our tax base.

There are too many jobs and much-needed tax revenue at stake to allow any slowdown in these building programs.

It is more imperative than ever that we encourage private investment in this community. We have had the wholehearted cooperation of the private sector in this effort and I look forward to continuing this important partnership in the future.

Likewise, we will pursue with every resource at our command our efforts to have the state legislature provide some definitive and substantive tax relief for this City. I call upon all members of City Council to support me and join with me in this most critical

undertaking.

When such help does come -- as I am confident it will -- we can establish a more favorable climate that will allow us to hold the line on the tax burden Pittsburgh residents must bear and to prevent similar financial problems from occurring again.

And it is with some cautious optimism that I can report today that the Local Government Conference -- composed of representatives of the Pennsylvania League of Cities, First and Second Class Townships, the State Boroughs Association and the State Association of County Commissioners -- has, at long last, come up with a local government tax reform program, which has been shared with some leaders of the General Assembly and the Administration in Harrisburg.

The program includes, among other things, a redefinition of income for wage tax purposes to include dividend and interest income, and a one quarter percent tax on earned income to be levied at the place of employment.

While the program calls for the elimination of certain nuisance taxes the City now collects, which would reduce our revenues, the addition of these two inflation-indexed tax sources would be a long overdue step in providing Pittsburgh and all municipalities across the state with broadened tax bases to support the services they must provide.

In closing let me assure the people of Pittsburgh that I do not intend to let the troublesome financial problems we are encountering today stand in the way of the plans for progress we have set in motion.

I am determined that the goals we have set will be achieved and that we

will see a turnaround in our economic fortunes in the not too distant future.

I know that all my energies will be directed to that purpose -- as they have been in the past.

Whatever we have achieved these past years we have achieved together in a spirit of cooperation and community pride.

It is this spirit which, in times of adversity, has regenerated my determination to move ahead with even greater vigor and renewed confidence in the future.

I call upon every citizen -- as we face the harsh economic realities of the times -- to stand with me as we work to resolve our mutual problems and set our sights on the many positive aspects of community life that hold so much promise for a better tomorrow.

And I call upon our suburban friends, in particular, to recognize the enormous benefits they receive from their proximity to the City of Pittsburgh and to acknowledge the critical importance a vibrant and economically healthy core city holds for all of us.

Join me and your Pittsburgh neighbors in forging a more equitable tax system to support the services we all use.

In 1935 the distinguished U.S. Supreme Court Justice Benjamin Cardozo wrote: "The Constitution was framed upon the theory that the peoples of the several states must sink or swim together, and that in the long run prosperity and salvation are in union and not division."

We have a sacred obligation to apply the meaning of those words to the

financial challanges we face here in Pittsburgh and throughout western Pennsylvania. If we join together, we can grow and prosper together -- if we do not, we will suffer the consequences together.

Richard S. Caliguiri  
MAYOR

November 9, 1981

### **The Chair:**

Our thanks to the Mayor of the City of Pittsburgh and those of you who came here today. Ladies and gentlemen we will have a five minute recess to allow those of you who want to leave the hall at this time and not stay for the meeting and not do so.

RECESS

### **PRESENTATIONS**

#### **Mr. Givens presented**

No. 4209 Resolution providing for an Agreement/s with a Consultant/s for soil exploration work in conjunction with the Gomer Street Wall; and providing for the payment of the cost thereof not to exceed \$3,400.00.

Which was read and referred to the Committee on Public Works.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 4210 Resolution vacating an Unnamed Way, 16.66' wide (150' east of Allen Street) between Excelsior Street and Carnival Way in the 18th Ward of the City of Pittsburgh.

Also,

No. 4211 Resolution vacating a portion of McKeever Avenue from a point 140 feet ± southwest of Katherine Street as vacated to a point 218.25 feet ± southwest of Katherine Street as vacated in the 26th Ward of the City of Pittsburgh.

Also,

No. 4212 Resolution providing for an Agreement/s with a Consultant/s for Engineering Services in connection with Street Lighting Design; and providing for the payment of the cost thereof not to exceed \$31,000.00.

Also,

No. 4213 Resolution amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended, entitled, "Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program," by redefining the funding sources, to provide additional funds needed in Traffic Communications Program Trust Fund.

Also,

No. 4214 Resolution further amending Resolution No. 201, approved 2-26-81, effective 3-6-81, as amended by Resolution No. 644, approved 7-8-81, effective 7-13-81, entitled, "Authorizing the City Treasurer, on behalf of the City of Pittsburgh, to accept funds from the Port Authority of Allegheny County, the

U.R.A., and PennDOT for Consulting Services in conjunction with Transportation Coordination for the Central Business District; providing for the creation of a Trust Fund for receipt and payment of the respective shares; and providing for an Agreement/s with the above mentioned parties in connection with the Transportation Coordination for the Central Business District," by authorizing a Supplemental Agreement and by increasing the project allocation by \$200,000, payable from Traffic Communication Program Trust Fund.

Also,

No. 4215 Resolution further amending Exhibit I of Resolution No. 1350, effective January 1, 1978, as amended, entitled, "A Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith: creating Capital Funds; transferring Bond Fund to said Capital Funds," by redefining the funding sources for various projects listed therein.

Also,

No. 4216 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$48,626.05 to Louis J. Viglione for Extra Work in connection with sewer reconstruction at Nine Mile Run, to be payable from Code Account PW 80-26, Nine Mile Run.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

4217 Communication from Richard Cosentino, Director, Department of Water, requesting interim

approval of payment of \$342.70 for repair of two Department of Water pumps.

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 4218 Resolution authorizing the issuance of a warrant in favor of Tico Electric Company in the amount of \$1,273.50 in payment for work performed at Broadhead-Fording Pool and Park, furnished for the benefit of the City without previous authority of law and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 4219 Resolution amending Resolution No. 73 of 1981 providing for contracts for installation of concrete work, by reducing the authorized amount from \$40,000.00 to \$37,740.00 payable from PW 81-31, Concrete, Department of Parks and Recreation.

Also,

No. 4220 Resolution providing for the taking of property in the 17th Ward of the City of Pittsburgh owned by D.C. Phillips, et al; for South Side Riverfront Park and authorizing payment of Just Compensation and necessary and incidental acquisition costs related thereto.

Also,

No. 4221 Resolution providing for the taking of property in the 17th Ward of the City of Pittsburgh owned by Iron City Sand Company for South Side Riverfront Park and authorizing payment

of Just Compensation and necessary and incidental acquisition costs related thereto.

Also,

No. 4222 Resolution providing for the taking of property in the 16th Ward of the City of Pittsburgh owned by Ronacle Realty Company for Southside Riverfront Park and authorizing payment of Just Compensation and necessary and incidental acquisition costs related thereto.

Also,

No. 4223 Resolution providing for the taking of property in the 17th Ward of the City of Pittsburgh owned by Ormsby Land Company for South Side Riverfront Park and authorizing payment of Just Compensation and necessary and incidental acquisition costs related thereto.

Also,

No. 4224 Communication from Louise R. Brown, Director, Department of Parks and Recreation, notifying Council of proposed change in fees for Schenley Park and South Side Ice Skating Rink pursuant to Chapter 477.02 of the Pittsburgh Code.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 4225 Resolution transferring the sum of \$3,000.00 from Code Account No. 1457, Purchase of Uniforms and Equipment, Department of Police, to Code Account No. 1446-1, Investigation Expenses, Department of Police.

Which was read and referred to the Committee on Finance.

Also,

No. 4226 Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, in the amount of \$1,386.00 in payment for rental of equipment due for October, November and December, 1981, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police.

Which was read and referred to the Committee on Finance.

Also,

No. 4227 Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, in the amount of \$672.20 in payment for transcription done by a stenographic reporter of Trial Boards, chargeable to and payable from Code Account No. 1447, Miscellaneous Services, Department of Police.

Also,

No. 4228 Resolution providing for accepting a grant from the Sears-Roebuck Foundation in the amount of Three Thousand Four Hundred Ninety-Four Dollars (\$3,494.00) for operation of "Officer Friendly Program" to be conducted by the Community Relations Section of the Department of Police; providing for the creation of Officer Friendly Program Trust Fund; and for the deposit of grant funds in a bank account.

Which were read and referred to the Committee on Public Safety.

#### **Mr. Robinson presented**

4229 Resolution providing for an Agreement/s with the Open Doors for the Handicapped of PA, Inc., located at 6592 Hamilton Avenue, Pittsburgh, for the acquisition of a building at 6558-6564 Frankstown Avenue, Pittsburgh, so as to accommodate the relocation of the Agency's services, office personnel, support personnel and centralization of the 12 transportation units operated under the Magic Carpet Transportation Service at a cost not to exceed \$25,000.00, payable from the 1981 Community Development Block Grant Program Trust Fund.

Which was read and referred to the Committee on Planning, Housing and Development.

**Mr. Robinson** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 4230 Resolution amending Resolution No. 588, effective July 2, 1981, entitled, "Providing for a Cooperation Agreement/s with the URA of Pittsburgh in connection with the administration of the Lemington Home for the Aged UDAG Project, so as to adjust previously authorized amounts to the actual project allowances reducing the aggregate total from \$2,112,749.00 to \$1,243,483.00, payable in amounts indicated from accounts listed therein.

Also,

No. 4231 Communication from Paul Brophy, Director, Department of

Housing, requesting permission for Joseph Matthews, WHIP Program, to attend Training and Technical Assistance Conference, Grantville, PA, November 22-24, 1981, at a cost not to exceed \$225.00 payable from WHIP Special Trust Fund #1. A City vehicle will be used for transportation.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone** presented

No. 4232 Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$450.00 in favor of fifteen (15) persons who provide proctoring services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1981 Police Promotional Examination on November 14, 1981, and providing for the payments thereof, payable from Code Account No. 1100, Miscellaneous Services, Department of Personnel and Civil Service Commission.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 4233 Resolution providing for the issuance of a warrant to Helen Butch and Herman Butch, her husband, c/o

Jerry B. Landis, Esquire, 300 Law & Finance Building, Pittsburgh, PA 15219 in the amount of \$6,000.00 in full settlement of a lawsuit arising from personal injuries as a result of a K-9 police dog's bites on April 10, 1978.

Also,

No. 4234 Resolution transferring \$2,358,010.59 from Special Trust Fund #2, Real Estate Refund Trust Fund, to the General Fund, MNOC.

Also,

No. 4235 Resolution transferring \$15,369.00 from Code Account No. 57, Social Security Fund, Department of City Treasurer, to the following accounts: 55 Policemens' Relief and Pension Fund - \$9,969.00 and 1063 Miscellaneous Services, Department of Treasurer - \$5,400.00 - Total - \$15,369.00.

Also,

No. 4236 Resolution providing for an agreement/s with a consulting firm for professional services in connection with the Municipal Pension Fund and providing for payment of the cost thereof not to exceed \$5,400.00, payable from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer.

Also,

No. 4237 Communication from John E. McGrady, City Controller, submitting a performance audit of the Department of Parks and Recreation's Park and Facility Maintenance operations as of October, 1981.

Which were severally read and referred to the Committee on Finance.

#### **Mr. Woods presented**

No. 4238 Resolution amending Resolution No. 846, passed in Council August 17, 1981, entitled, "Providing for an Agreement/s with the Lincoln-Larimer Athletic Association, for purchase of football uniforms and equipment and transferring the sum of \$5,000.00 to Code Account No. 1838, Department of Parks and Recreation", to provide for an Agreement/s with the Lincoln-Larimer Athletic Association to provide a football athletic program for needy youth.

Which was read and referred to the Committee on Parks and Recreation.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Stone** seconded the motion.

Which motion prevailed.

Also,

No. 4239 Communication from Lawrence Yatch, Director, Department of Supplies, requesting interim approval of payment of \$70,000.00 for emergency repair of fire equipment to be payable from Code Account No. 1150, Outside Repairs, Bureau of Automotive Equipment, Department of Supplies.

Which was read and referred to the Committee on Supplies.

#### **REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 4240



Report of the Committee on Finance for November 4, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4115

Resolution entitled, "Resolution transferring the sum of \$4,000.00 from Code Account 1360 - Salaries, Regular Employees, to Code Account 1360-1 - Premium Pay, Department of Lands and Buildings."

Which was read.

Also,

Bill No. 4119

Resolution entitled, "Resolution transferring the amount of \$3,000.00 from Code Account 1661, Miscellaneous Services, Supplies and Equipment, Bureau of Cable Communications to Code Account 1501, Premium Pay, both accounts within the Department of Public Works."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Robinson

Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4127

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Dice Plumbing in the amount of \$5,816.24 in payment for work performed at Point Park Symphony Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4128

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of McGrady, Inc., in the amount of \$2,718.62 in payment for topsoil at Point State Park in connection with the Summer Symphony, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 6                      NOES 1  
(MR. GIVENS VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4130

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Imperial Floor and Drape Company in the amount of \$958.00 in payment for work performed at Brookline Recreation Center Gymnasium, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4131

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Guido Fantini Construction Company in the amount of \$1,000.00 in payment for work performed at West End Picnic Shelter, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4132

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sargent Electric Company in the amount of \$270.00 in payment for work performed at West End Picnic Shelter, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Aves:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4137

Resolution entitled, "Resolution transferring the sum of \$7,500.00 from Code Account No. 1468, Equipment to Code Account No. 1464, Supplies and Materials, within the Department of Fire."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Aves:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4159

Resolution entitled, "Resolution providing for the issuance of a \$1,885.00 warrant in favor of Chuck Goff in full settlement of claim for damage; and providing for payment thereof."

Which was read.

Also,

Bill No. 4160

Resolution entitled, "Resolution providing for the issuance of a \$6,176.88 warrant in favor of Charles Goff, Helen C. Goff and Venn-Goff, Inc., in full settlement of claim for damage; and providing for payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Aves:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4161

Resolution entitled, "Resolution transferring \$45,000.00 from Code Account No. 49, Reserve Fund-Sewage Service Charges, Allegheny County Sanitary Authority, Department of City Treasurer to Code Account No. 51, Departmental Postage, Department of City Treasurer."

Which was read.

Also,

Bill No. 4162

Resolution entitled, "Resolution amending a portion of Resolution No. 971, approved October 5, 1981, which amended portions of Resolution No. 384, approved April 22, 1981, which amended Resolution No. 1329, approved December 12, 1980, entitled, 'Providing for an Agreement or Agreements with various agencies for the implementation of the

Comprehensive Employment and Training Act, Title IV, Subpart A of the Youth Employment and Demonstration Project Act of 1977 (YETP Youth Employment and Training Program) and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 4163

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 255, Realty Transfer Tax, Section 255.01, Definitions, by clarifying the definition of 'interest in real property' in subsection (d) and of 'transfer' in subsection (3); and Section 255.03, Exceptions, by limiting the exception provided for leases in subsection (b)."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. DePasquale  
(Pres't)

AYES 7

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 4241

Report of the Committee on Public Works for November 4, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4120

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for the reimbursement of the actual costs incurred by the City of Pittsburgh in the removal and replacement of the Port Authority's Wood Street Bridge streetcar track system in connection with the Wood Street Bridge Rehabilitation Project, and for reimbursement by the City to the Authority of 90% of the actual costs and upon receipt of federal funds for the Project."

Which was read.

Also,

Bill No. 4121

Resolution entitled, "Resolution granting unto Carl J. Long, and Associates, its successors and assigns, the privilege and license to construct, maintain, and use at its own cost and expense, an electrical vault in a portion of the sidewalk of Sixth Street in the Second Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the

bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 7                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 4242

Report of the Committee on Planning, Housing and Development for November 4, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also,            with            an            affirmative recommendation,

Bill No. 3893

Resolution entitled, "Resolution providing for the designation of certain districts and structures as being of Historic and Landmark Significance under Section 3 of Ordinance 20, approved July 30, 1979."

Which was read.

**Mr. Woods:**

Mr. Chairman, I am voting aye on

all bills, but on Bill No. 3893, I vote aye on only because there is no opposition from that neighborhood. I do not believe in taking a whole area and making it a historical landmark. I want that in the record.

Also,

Bill No. 3911

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 17 by changing from 'R1-A' One-Family Residence District to 'R1' One-Family Residence District all that certain property bounded by: the northeasterly terminus of LeRoi Road; the 'R1' Zoning District Boundary Line north of LeRoi Road between South Lang Avenue and South Homewood Avenue; Lots Numbered 117, 119, 121 and 166, Block 126-H in the Allegheny County Block and Lot System; Lot Numbered 41, Block 126-M in the aforesaid System and the 'R1' Zoning District Boundary Line west of South Homewood Avenue between Roy Crest Place and Reynolds Street, 14th Ward."

Which was read.

Also,

Bill No. 4141

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Cox-Schmidt Corporation for the sale of Parcels 176, 186, 273 and 277 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4142

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Laud, Inc., for the sale of Parcels 37, 62, 63, 65, 95, 97 and 253 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4143

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Associates, Ltd. for the sale of Parcels 153, 154, 159A and 193 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4144

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Goor A. Lear for the sale of Parcel 171 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4145

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Charles W. and Leslie Y. Crawford for the sale of Parcel 222 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4146

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Robert L. Simmons for the sale of Parcel 55 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4147

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carl D. Collins, John E. McGeown, and Frank A. Yarussi for the sale of Block 22L, Lot 296 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4148

Resolution entitled, "Resolution approving execution of a contract for Disposition of Land by and between the

Urban Redevelopment Authority of Pittsburgh and Laud, Inc., for the sale of Block 22K, Lot 273 in the Twenty-First Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4149

Resolution entitled, "Resolution approving an Agreement by and between Urban Redevelopment Authority of Pittsburgh and Brent Builders, Inc., in which Urban Redevelopment Authority of Pittsburgh will provide financial assistance for the construction of a house in the Fifth Ward of the City of Pittsburgh under the terms and conditions of the Neighborhood Housing Program."

Which was read.

Also,

Bill No. 4150

Resolution entitled, "Resolution amending Resolution No. 242, approved March 24, 1980, entitled, 'A Resolution amending Resolution No. 600, approved June 27, 1979, amending Resolution No. 527, approved May 22, 1978, entitled, 'A Resolution providing for the Mayor and the Director of the Department of City Development to enter into an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering and design studies of Herr's Island and providing for the payment of the cost thereof', as amended by Resolution No. 372, approved April 25, 1979 entitled, 'A Resolution providing for the Mayor and the Director of City Development to enter into an Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh to provide for engineering

and design studies of Herr's Island and providing for the payment of the cost thereof by increasing the amount of the Agreement' by the transfer of CD Funds to the Industrial Land Reserve Fund and providing for the transfer of land from the City of Pittsburgh to the Authority and the assumption by the City of obligations of railroad companies relating to utility lines, water lines, lift stations, etc., and bridges and appurtenances leading into Herr's Island' by increasing the amount of the Agreement and by providing for administration funds."

Which was read.

Also,

Bill No. 4151

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Public Parking Authority of Pittsburgh for the preparation of a landscape plan in connection with the re-design of Schenley Plaza parking area and adjacent streets, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4152

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1549 of 1978, previously amended by Resolution Nos. 251, 517 and 649 of 1979; and by Resolution Nos. 286 and 1192 of 1980 entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1979 Community Development Block Grant Program', so as to decrease

line item PW-79-31 'Ivondale Street Wall' from \$50,000 to \$0, and further to add a new line item PW-79-36 'Step Reconstruction' (\$50,000), Project No. 4-01-30-0958-79-188-79-01; and further to decrease line item DCD-79-07 'Minority Revolving Fund Programs' from \$300,000 to \$285,000; and further to increase line item DCD-79-01 'Industrial Revolving Loan Program' from \$500,000 to \$515,000; and further to change the title of line item CP-79-03 from 'Housing Market Analysis to Neighborhood Commercial Revitalization Analysis'."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4153

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos.

504, 635, and 1065 of 1980, and by Resolution Nos. 316 and 797 of 1981, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', so as to decrease line item LB-80-05 'Sheraden Branch, Acquire Design and Construct' from \$30,000.00 to \$23,064.84, and further to increase line item LB-80-14 'Public Property Sidewalk Program' from \$60,000.00 to \$62,021.80; and further to create a new line item 'LB-80-18 Arlington Fire Station #22' (\$4,913.16), Project No. 4-25-10-1940-80-190-80-25; and further to correct line item HD-80-16 'Neighborhood Development Offices'." (AS AMENDED IN COMMITTEE)

Which was read.

**Mr. Robinson:**

Motion to amend Bill No. 4153 by deleting the amount \$4,913.16 and reverting back to the amount of \$4,913.46.

**Mr. O'Malley** seconded the motion.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)



AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally, as amended.

Also,

Bill No. 4154

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a) A 33 of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to Gumina Construction Co., for authority to construct an eight-story building for housing for the elderly containing 97 dwelling units and parking to accomodate 20 automobiles on property located on the easterly side of Second Avenue between Glen Caladh Street and Tecumseh Street, 15th Ward."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**The Chair:**

Members of Council, apparently we have one Councilperson who is overheated and the other cannot stand the cold, so —

**Michelle Madoff:**

Mr. President, under Robert's Rules, may I read one sentence?

**The Chair:**

Come on Michelle, under Robert's Rules, let's quit playing games, one is opening the window, one is putting —

**Michelle Madoff:**

"If anything disturbs a member's rights and privileges, noise and drafts", Sophie and I are having a draft — "he may rise", and I presume they mean she also, "may rise", I will rise, "to ask the disturbance be removed". Now, I think we can have a compromise, let us close the window, the people have gone, it isn't as hot in here anymore, and Mr. Givens would be gentlemanly enough to take off his vest.

**The Chair:**

Do you want to remove the window or Mr. Givens?

**Mr. Givens:**

This is attire of a businessperson of the City of — you can take off, we can't take any off.

**The Chair:**

I think in view of what is happening we ought to apologize to those people who are here, its getting a little ridiculous.

**Michelle Madoff:**

We won't even look. I don't believe this childish behavior.

**The Chair:**

If there is one further disturbance between Mr. Givens and Michelle Madoff I'm going to ask you both to leave the hall so we can continue the meeting. Okay.

**Michelle Madoff:**

And Sophie Masloff.

**Mrs. Masloff:**

But I'm cold too.

**Michelle Madoff:**

Sophie is leaving with me.

**The Chair:**

Sophie can speak for herself.

**Michelle Madoff:**

She just did.

**Mrs. Masloff:**

Its cold.

**Michelle Madoff:**

She has twice. For the record -- Sophie said it was cold. Twice.

**Mrs. Masloff:**

There's a draft.

**The Chair:**

Not you too Sophie.

**Michelle Madoff:**

She also said there was a draft.

**Mrs. Masloff presented**

Bill No. 4213

Report of the Committee on Parks and Recreation for November 4, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4140

Resolution entitled, "Resolution providing for an Agreement/s with Youth City of Pittsburgh, Inc., for services relative to providing a Thanksgiving Dinner for needy people, and transferring \$2,000.00 from Code Account No. 42, Council's Contingent Fund, to Code Account No. 1838, Parks and Recreation."

Which was read.

Also,

Bill No. 4133

Resolution entitled, "Resolution amending Resolution No. 1122 of 1980, approved November 3, 1980, effective November 7, 1980, entitled, 'A Resolution providing for an Agreement or Agreements for architectural, engineering, or other professional services in connection with the design and rehabilitation of the Frick Park Service Building on English Lane, and providing for the payment of the cost thereof,' by increasing the funds allotted for said project."

Which was read.

Also,

Bill No. 4134

Resolution entitled, "Resolution amending Resolution No. 407, effective May 1, 1981, entitled, 'Providing for an Agreement or Agreements with the Neighborhood Centers Association located at 1439 North Franklin Street and the Urban Redevelopment Authority so as to rehabilitate a Neighborhood Centers Association-owned structure located at 2 Heines Way, 21st Ward, for use as a Boy's Club facility. Carnegie-Mellon students will be used as volunteer architects and construction workers; by increasing the amount provided.'"

Which was read.

Also,

Bill No. 4135

Resolution entitled, "Resolution providing for an Agreement or Agreements or the use of existing Agreements for architectural, engineering, or other professional services in connection with the design and construction of Burgwin Swimming Pool; and providing for the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Robinson

Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 4244

Report of the Committee on Public Safety for November 4, 1981 transmitting one ordinance and one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4123

An Ordinance entitled, "An Ordinance amending and supplementing the Pittsburgh Code, Title Six - Conduct, Article I - Regulated Rights and Actions, by adding a new Chapter 610 - Noise and Sound Amplifying Devices, and deleting Section 601.04."

Which was read.

**Mr. Givens:**

On Bill No. 4123, I have had discussions with other people in here, and of course, I think, all of the Councilmembers have received a letter both from the Superintendent of Police, I can't quite agree with him, but I haven't had an opportunity to speak to him directly, and also from the legal department, the misdemeanor versus some other form of punishment, I think

can be ironed out, and I would like to put this back into committee for tomorrow's session and then also table it at the Wednesday committee session.

**Mr. Stone:**

Are you going to bring it back after you table it?

**Mr. Givens:**

Tomorrow I would like to table it, and/or -- you know, several weeks to work out some of the -- there has been input from other people, other than those two letters that I have received and I think these people have a right to have their legal people go over it and those people, apparently, were not informed about it and did not react to it until just this Friday, and then Monday I had some reaction to it too, so I would like to hold the bill.

**Mr. Stone** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, I had introduced a similar bill previously and it has been stated that I backed off the bill. I took the position that Mr. Stone took, that we have something on the books already and if indeed the police were able to determine what is a public nuisance and enforce it under public nuisance law without having to have a monitor for reading decibels.

I have asked the City Clerk, I think he was gone last week and I asked Mr. McCray, to have Superintendent Coll come before Council as soon as possible to tell us how he is enforcing this bill, whether he has met with his police, whether he sent out a memo to the Police Department saying, please

enforce this as a misdemeanor. It is already on the books as a public nuisance -- excuse me, I meant a public nuisance, and I think that would be helpful because I think what we are doing is saying the same things. I think Councilman Givens has taken it a step further and I think, in a meaningful way, to get noises that are ongoing noises and permanent disturbances from permanent noise sources, but relating to the radios particularly, I would like to have Superintendent Coll address that issue and give us a report, because if he is taking the attitude, Well, so Council said we'll do it, but we've got more important things to do, forget it -- we ought to know that, and I think if it is the will of this Council that he enforce that, he instruct his police to enforce that regulation as a nuisance, then we ought to start seeing some citations issued. Particularly on busses.

Also,

Bill No. 4138

Resolution entitled, "Resolution authorizing the City Controller to create a Special Trust Fund to be designated Arson Squad Trust Fund into which there shall be deposited money received from grants and donations for the use of equipment and services for the detection of arson."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### Mr. Flaherty presented

Bill No. 4245

Report of the Committee on Lands and Buildings for November 4, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4116

A Resolution entitled, "Resolution providing for a Lease to Pittsburgh Public Theatre of a certain portion of the Allegheny Regional Branch, Carnegie Library, at an annual rental of One Dollar (\$1.00), upon certain terms and conditions."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### MOTIONS AND RESOLUTIONS

##### Mr. Givens presented

No. 4246 WHEREAS, the ongoing strife between members of the Professional Air Traffic Control Operators and the United States Government has created a hardship not only for the air industry but also for the families involved and the citizens who must use their services; and

WHEREAS, a report submitted by PATCO representatives entitled, "Report to the City of Pittsburgh on the Safety of the Air Traffic System since August 3, 1981", indicated that 86 near mid-air collisions and 114 systems errors have occurred for the period of August 3, to September 1, 1981 and that PATCO has recorded 22 operational errors, 3 of which would be classified as near mid-air collisions; and

WHEREAS, it is of the utmost importance not only to the flying public but also to communities nationwide that the highest standards of air control safety be maintained at all times to ensure the maximum security against faulty landings and mid-air collisions.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby

urge the President of the United States and the Federal Aviation Administration to consider the ultimate safety of America's flying public and of communities nationwide and take a new initiative to resolve the issues that lead to the national strike by air traffic controllers, with a view towards reinstating the most qualified personnel available to conduct such a technical and lifesaving skill.

Which was read.

**Mr. Givens** moved for approval.

**Michelle Madoff** seconded the motion.

**Michelle Madoff:**

Mr. President, I just had an emergency call I had to return, from a friend who just came into town again this morning, who is with a company where he spends half of the time in New York and half of the time in Pittsburgh, and the plane had a little difficulty, which could happen, however, it was two hours waiting, number 14 in line from the New York Airport. The havoc that is going to impact, not having the proper staffing to have dispatchers in airplanes is astronomical. We saw an example of that in this morning's budget and I don't think we can have any further deleterious affect permitted on the budget. And I certainly think that if indeed, this message going to Washington from Council would be productive, I would wholeheartedly support it, but I would like to see, and this may sound foolish, but I would like to see you, as the President of Council, with perhaps a delegation, go down and meet, through Mr. Coyne, and perhaps Dick Schweiker or Heinz or somebody, with the President directly, because there is no doubt in my mind that if President Reagan, not trying to get the message across that he was going to be a tough man, had let one of

the undersecretaries make the statement, then he would have left himself some room to negotiate and I think it is a matter of face-saving, and I think the issue is bigger than just President Reagan saving face, and I would like to see the message hand delivered and verbally delivered.

**Mr. O'Malley:**

What type of a message Michelle?

**The Chair:**

You weren't listening Mr. O'Malley. Michelle Madoff would like to see a committee meet with Congressman Coyne and Senators Schweiker and Heinz, and hopefully with the President, in regards to resolving the PATCO situation.

**Mr. O'Malley:**

My comment is, I think we would all like to see the PATCO strike resolved, but there is nothing in this resolution concerning the PATCO membership. All I am saying is that the government should take them back. I think that when the PATCO signed their affidavit and took the oath not to strike — I think that is an oath they should adhere to.

**Michelle Madoff:**

But I think there is room for compromise, don't you Councilman O'Malley?

**Mr. O'Malley:**

I am making a comment Michelle. And the affidavit reads, "as to striking against the federal government, I am not participating in any strike against the government of the United States or agency thereof. I will not

participate while an employee of the government of the United States or any agency thereof." And I think it just behooves this Council to remember that this was an oath that was taken, not to strike.

**Mr. Givens:**

Pardon me?

**Mr. O'Malley:**

This is an oath that was taken by the membership not to strike. I think there is room for negotiation on both sides, I think the strike occurred because the membership of PATCO received bad or wrong information from the union leaders. I think the union leaders had a total disregard for the membership in ordering the strike. I would recommend that the union leaderships resign first, second, I would recommend that — because we all make mistakes — I make mistakes, I'm sure President Reagan makes mistakes — that the membership send a letter of apology to the government, that the government accept the letter of apology and reinstate the PATCO strikers; again, because we all make mistakes, and because of those mistakes we have to pay for them sometime. I feel that the government should accept the letter of apology, I feel that they should be reinstated, maybe reinstated without seniority, and maybe this way both sides can get together again and can start over. I think it would be best for the union, best for the American people and best for the government.

**Mr. Givens:**

I agree Jim, I think there are some problems out there, I don't think this body is in a position to say who is right and who is wrong. I know from a practical experience that what is

happening out there is somewhat dangerous, and all we are trying to do in this resolution here is just send a message to the President asking him, really, to reconsider, and I think the points that you bring up are very — I can't say I agree with them all.

**Mr. O'Malley:**

We should also ask the union for some —

**Mr. Givens:**

I can't say that I agree with all of your points.

**Mr. Woods:**

Jim, I don't agree with anything you said and I think the only mistake that the PATCO members made was supporting President Reagan when he ran for President.

**Michelle Madoff:**

Ditto.

**Mr. Givens:**

There you go.

**Mr. O'Malley:**

Let me ask you a question Ben. As a staunch union supporter — okay, you give your word, is your word good?

**Mr. Woods:**

Sure is.

**Mr. O'Malley:**

Oath of office — "I will support and defend the Constitution of the United States government against all enemies, foreign and domestic. I will

hear true faith and allegiance to the same. I will take this obligation freely, without any mental reservation or purpose of evasion and I will well and faithfully discharge the duties of the office into which I am about to enter, so help me God."

B. "Affidavit As to Striking Against the Federal Government. I am not participating in any strike against the government of the United States or any agency thereof. I will not so participate while an employee of the government of the United States or any agency thereof."

**Mr. Woods:**

I haven't seen it, you have it, I haven't had a chance to study it, but the President of the United States takes an oath also and I don't believe he is living up to his oath, he promised these people in his campaign and also the Oath of Office.

**Mr. O'Malley:**

Well two wrongs don't make a right Ben.

**Mr. Woods:**

So he is just as wrong as these people are.

**Michelle Madoff:**

Compromise.

**Mr. O'Malley:**

What I am saying is we ought to see a give and take on both sides.

**Mr. Woods:**

That has nothing to do with this resolution.

**Mr. Flaherty:**

I wholeheartedly agree with my colleague, Councilman Woods. I don't think it is within the purview of this Council to judge an oath that PATCO employees supposedly have taken, but I think we all agree on this Council that it was a unilateral axing of those employees and the union certainly did not, in my opinion, have a fair airing on the issue of their firing, and if anything, I believe that this Council which certainly has a tradition for supporting our unions, that we should go on record supporting PATCO's right to a fair hearing which they have not had and it is up to the arbitrator then to decide how important a supposed oath of employment is.

**Mr. Stone:**

Mr. President if I may, I don't think it behooves this Council to get into the specifics of the problem. I think that this Council can help the President of the United States in this country, if we dealt in a different fashion to justify PATCO's actions, we can I am sure, bring responses in favor and also opposed. But I don't think there is any question that the present strike does create a less than normal standard of safety. I don't think there is any question that it has caused some economic instability and it has been at a traumatic economic expense to this country and I think that if I were doing it Mr. Givens, I would suggest that we not do it in this form, but rather an appeal to the President that he exercise some sort of magnitude in trying to get them back in order to maintain some form of the economic stability and we should not engage in who is right and who is wrong. I think that is the important thing here.

I do quite a bit of flying and I've had the opportunity to be up in the tower



and see what they have to do and I don't want to get into that issue of rights or wrongs, but I do think that it might be one thing to be right, but if we are all going to suffer at the expense of someone being right, I think maybe it needs a little more understanding and I think that is the way the amendment should be and I would suggest Mr. Givens, that we deal with it that way so that we don't have to say that we are for PATCO or against, but rather that we ask the President and PATCO to sit down and see if they can resolve it now, especially since I just read in the paper that what everybody counted on to be the solution to the problem, that there was a large rejection or a failure in those that were taking the tests. If the government puts that much emphasis on the fact that 50% of that class can't make it, then in effect what they are doing is indirectly saying that those we had apparently knew what they were doing. So there is still a need for them and without anyone losing face, maybe it is time that we encourage that we look for some way to work it out.

**The Chair:**

In all fairness to Mr. Givens, if I read the tenure of this resolution correctly, Mr. Givens is asking for compassion from the President and I don't think he is taking any stand, or we are, as to who is right and who is wrong --

**Mr. Givens:**

I'm not taking any stands.

**The Chair:**

...hopefully that they will be reinstated and hopefully that the situation that some people are saying is very precarious, will be eliminated, and the proper people will be up in those towers and bringing those airplanes in

safely and allow them to take off safely.

**Mr. Stone:**

Excuse me one second Michelle --

**Michelle Madoff:**

I just want to ask one question -- do you recall the name of the gentleman who made the last presentation who talked and used exactly what you are saying but he had it worded magnificently. When he talked about compassion and compromise and when he talked about somebody telling you to go home, take, I think the battle between the north and the south, "take your horses and your guns and go home, and go in peace" --

**The Chair:**

You're talking about Cliff Caldwell from the Allegheny Labor Council.

**Michelle Madoff:**

I would like to paraphrase what he said into this kind of a message rather than a resolution, but a message from Council saying show this kind of compassion, and why re-invent the wheel, the man wrote it magnificently and I would like to see it hand delivered by the President of our Council. I don't think Councilman O'Malley disagrees with compassion concept and compromise.

**Mr. O'Malley:**

I don't disagree.

**Mr. Woods:**

I'll ride you down "Jeep".

**The Chair:**

Can't we fly?

**Mr. Stone:**

Let me explain why I suggest we change the resolution, and it might be better to delay it for that purpose. I was not here at that hearing, so, number two, you got a report -- the question is that we are going to get into a battle of whether that is true or not true -- I think we should stay completely away from those things, I think that in a general sense there is a need for concern, but the one that bothers me, President Reagan is going to be a hundred billion dollars off of where he expected to be already and he doesn't need these other things that are dragging on the economic conditions. I think if we just couched it that way, we may be giving him a way out as well as trying to do something for those people, like it or not, we need them.

**Michelle Madoff:**

Mr. Stone, would you be willing to read the transcript and read the last statement by the gentleman and I think it encompasses everything that you have said, and can we vote in premise? Would you make that a resolution that we take that approach and then word it and then re-word it so that we can have it with that flavor, because I think that is the right approach.

**Mr. Stone:**

Obviously, if anyone has better words than I, I've got to look up to them.

**Michelle Madoff:**

Well, I think you will agree that they are better words than yours. I think they are better words than all of this Council can put together, they spent weeks putting it together in a concise,

thoughtful form, I think most of us were very moved by that testimony and I think that if we approach it exactly as you are saying, not on who is right and who is wrong, but the compassion and the compromise and the fact that I was going to bring out what you already did, that the class is failing, the new class, I think everything you have said is the issue, let's bypass who was right and who was wrong and who took an oath, because we've had firemen go out in cities who took oaths, and people burned because they didn't go out and put fires out. I think the approach has got to be one of let's be forgiving, let's be compassionate, show yourself to be a big man and using the words that were put out by the gentleman who already has said it very eloquently. Would you take a look at that transcript Mr. Stone?

**Mr. Stone:**

I'm willing to help with the maker of the motion, but I am just making a suggestion of what I consider constructive.

**Michelle Madoff:**

Was that in the form of a motion? Because I would second that.

**Mr. Stone:**

No, I'm asking the maker of the -- Dick to do that.

**Mr. Givens:**

I have a little discussion on what has been said here. I think it was the intention of the -- you know, the PATCO people are like any professional group, naturally they are concerned about their jobs. But secondly, you know, they have been in this business for a long, long time and they have also somewhat of a moral judgement that indicates by proof that

was presented to this Council saying that there is a possible hazard out there in the airway systems of this country and around the City of Pittsburgh and they so documented that. You know, I'd hate to think that by cutting that out, that's like sweeping a problem underneath the rug. There is somewhat of a problem out there.

Now, our Commissioners and the Director of the airport is answering those particular charges and until that answer comes back I'd have to go on what the PATCO report had to say, but I have to appreciate what you are trying to say, is cut out what the fight is between PATCO and etcetera and get the controllers back. The ultimate thing is the safety of the people who are flying these airlines. The other ultimate thing is to get the economy back in gear. Ladies and gentlemen, you know, 25 percent of our airlines are not flying today. 50 percent of our corporate and private aircraft are not flying today. Those who are flying are flying under visual rules, see and be seen, rather than under a positive IFR condition.

I think this resolution as presented is factual and I would hope that it would go forward citing the safety problems as well as the humanitarian problems that the PATCO people so indicated to us last Thursday.

**The Chair:**

Thank you Mr. Givens.

**Michelle Madoff:**

What is your pleasure? Are you going to withdraw your resolution?

**The Chair:**

We have a motion to adopt the resolution and a second, now a roll call

vote on the resolution.

**Michelle Madoff:**

Wait a minute. Are we going to amend the resolution and then do it in the flavor that we all agreed on?

**The Chair:**

We've got a motion, we have to vote on the motion.

**Mr. Givens:**

We vote on it right now.

**Michelle Madoff:**

As it is?

**Mr. Givens:**

Sure.

**Michelle Madoff:**

Any second to that?

**Mr. Givens:**

Its been seconded. Mr. President, I would also like to say that we continue on — I don't think this is a dead issue, I think what Bob is saying and what others are saying is something that we should continue on.

**The Chair:**

I think we are all speaking in the same vein. Mr. McCray, would you call the roll?

**Mr. Stone:**

Mr. President, before you do that, I want to try once more — Dick, I think you are making a mistake doing it the way you are doing it. I realize your

intent is good that is the reason I am making a suggestion for you. I think you ought to pull back until we amend it where it is staying out of the issue and asking for a compromise which I feel is in the best interest of the PATCO people, where I think your present thoughts are. Rather than doing it this way, if I were reading this and I were President Reagan I'd throw it in the garbage can. I don't mean that derogatorily, but I think that's what he's going to do.

**Mr. Givens:**

But there's a problem out there Bob, can we sweep it under the rug?

**Mr. Stone:**

Yes, but I'm suggesting you do it in another way where you can accomplish the exact thing you want, which will be more sensible, I think.

**Michelle Madoff:**

Would you be willing to sit down with Councilman Givens so he feels he has input, and we'll vote in the premise that we all agree that it should be done, and compromise, and the wording will be prepared afterwards?

**The Chair:**

Question called for, roll call vote.

**Michelle Madoff:**

I vote that it be amended, therefore I am going to vote no, I think it is not strong enough. The wrong approach.

**Mrs. Masloff:**

I think we should amend it as to what Mr. Stone said. I think he has the right idea, I think we should ask for a

compromise. I am voting no.

**Mr. O'Malley:**

I agree with all my colleagues, I would like to see both sides come together and resolve what is a very touchy situation. I think Mr. Givens' views are admirable, I will vote yes.

**Mr. Woods:**

I am voting yes.

**Michelle Madoff:**

In its present form Mr. Woods?

**Mr. Woods:**

Yes, and I agree with Mr. Stone and Mr. Givens that we could follow up with a letter or some other form, but I do agree with this resolution the way it is written.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Aves:**

Mr. Flaherty  
Mr. Givens  
Mr. O'Malley

Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6                      NOES 2  
(MICHELLE MADOFF AND MRS.  
MASLOFF VOTING NO)  
(MR. STONE ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill

passed finally.

**Michelle Madoff:**

Mr. President, may I introduce an oral resolution that we have --

**The Chair:**

No. Are you back on the PATCO?

**Michelle Madoff:**

Same thing, that we follow it up with a review of the testimony given, that was moving, and which I have stated would be compassionate and a compromise and a second resolution prepared so that we have something that is meaningful. It is not my intention to vote against the concept of getting the message to the President, but to do something meaningful. I would like to make that as a motion.

**Mr. Stone:**

Michelle, I think you are going to make it ridiculous now. For us to run two there, it doesn't make sense.

**Michelle Madoff:**

Well, how are we going to get what you want to do across?

**The Chair:**

Michelle has a motion on the floor, is there a second on the motion?

For failure of a second, the motion fails.

**Mr. Robinson presented**

No. 4247 WHEREAS, the Vietnam Veterans, Incorporated was established on March 16, 1981 to serve the social and personal needs of veterans who faithfully

and with dedication served the United States of America; and

WHEREAS, this organization has worked in concert with various groups and individuals to establish and maintain deep, permanent programs to aid all veterans; and

WHEREAS, the membership of the Vietnam Veterans, Incorporated has been in forefront of the effort to establish a national memorial; and

WHEREAS, all veterans who have served the United States of America will be honored on Veterans Day, November 11, 1981; and

WHEREAS, the people of Pittsburgh will be honoring its sons and daughters who have served with distinction in the service of our nation.

NOW, THEREFORE,

BE IT RESOLVED that the Mayor and the Council of the City of Pittsburgh, on behalf of the citizens of Pittsburgh do recognize and honor the veterans of this City and do give special honor and recognition to the Vietnam Veteran and the Vietnam Veterans, Incorporated.

Which was read.

**Mr. Robinson** moved for approval.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President, Mr. Steve Rooney who is President of the Vietnam Veterans, Incorporated is here to receive a copy of the resolution and make some comments to Council.

**The Chair:**

Mr. Rooney, would you come to the podium please?

**Mr. Rooney:**

Thank you. We did have a few more members here earlier, but with job commitments and things like that some of them had to leave. Would the rest of the members of VVI and any Vietnam Veterans please rise.

APPLAUSE

**Mr. Rooney:**

I would like to thank the City and the City Council for this recognition and I would like to accept this proclamation for all Vietnam Veterans who were asked to do a difficult task at best, but did do it willingly and did do it well, but especially for those Vietnam Veterans who are no longer with us. There are some two million Vietnam Veterans in the United States and each and every one of them deserve a thank you from all of us. Thank you very much.

**The Chair:**

Thank you Mr. Rooney. Our hearts and sympathy go with you. I may add that I have a son who is a wounded Vietnam Veteran and I can share in your experiences and in your problems and hopefully the founding and forming of the VVI for the Vietnam Vets will be a great step forward. Thank you gentlemen for coming.

**Michelle Madoff:**

Since there will not be another resolution introduced on PATCO, and since I don't believe we want to imply that Council was opposed to this, I would like to change my vote and I would ask

my colleagues to make it unanimous.

**Mrs. Masloff:**

I change my vote as well, to aye.

**Michelle Madoff:**

Mr. Stone?

**Mr. Stone:**

Yes.

**The Chair:**

It is unanimous, nine to zero in favor of the resolution on the PATCO employees.

**Michelle Madoff:**

One other item, Mr. President, it has been the policy in Council, on December 31st for the two years that I've been here, one year we voted on the budget at seven o'clock at night another year it was at four o'clock at night and I understand before I got here, it was informal at two o'clock in the morning. I would like to have the Parliamentarian inform us as to how one would go about -- would you have a letter sent out Mr. Perry, to the Law Department, the Administration, and to the Parliamentarian, how we would extend the time -- the deadline, from December 31st to stop at five o'clock, if we have not come to a conclusion, and resume the first of the year, when we come back into session. I do not think it is proper that we should be here New Year's Eve, simply because our heads are so clouded, our minds are elsewhere, and we cannot function, we just want to get it out of the way and we vote it any old way just to get out of here. Do you understand what I'm saving Mr. President?

**The Chair:**

I understand.

**Michelle Madoff:**

Do you agree? Because by then we are so tired and we don't even care. I was going to come in here one year by ambulance, I was so sick, I went right to the hospital afterwards.

**Mr. Woods** moved to approve the minutes of Monday, November 2, 1981.

**Mr. Stone** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Woods**

Council adjourned.





# Municipal Record

Proceedings of the Council of the City of Pittsburgh

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MONDAY, NOVEMBER 16, 1981

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## Municipal Record

### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Asst City Clerk

Pittsburgh, PA  
Monday, November 16, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 4248 Resolution transferring the sum of \$3,200.00 from Department of Public Works, Parent Account 4-01,

Unrestricted Cash, to the Department of Lands and Buildings, Parent Account 4-25, Unrestricted Cash.

Which was read and referred to the Committee on Finance.

Also,

No. 4249 Resolution providing for the purchase from Eazor Express, Inc., for the purchase of a repair facility and other public purposes in lieu of condemnation, at a cost not to exceed \$3,100,000.00, of certain property at the corner of Eazor Square and Railroad Street, Block 25B, Lots 5 and 15, plus closing expenses and providing for the payment of costs thereof and providing for a lease to Eazor Express, Inc., for a term of no more than three years, at an annual rental of \$25,000.00 for the second floor of the property known as the Terminal Building located on the aforesaid property.

##### Mr. Givens:

On this bill that was just introduced in Mr. Flaherty's committee which affects the Department of Public Works' Committee wherein \$3.2 million is going to be coming out of the Department of Public Works' Capital Budget, and being put into Lands and Buildings for a new — apparently, a new addition to the City garage, it is abutting the present City garage, and that property is the Eazor Terminal in the Strip District.

It seems very commendable and everything, but it appears in the

legislation that we have to answer some questions and the only reason I bring it up Mr. President, is to get some answers between now and when the Committee comes up. There has never been any appropriations in any Capital Budget set aside for this particular terminal, even though I think the City has been negotiating with J & L for that particular site --

**Mrs. Masloff:**

No, that's not J & L's site, its the Eazor site and they explained at the meeting this morning that --

**Mr. Givens:**

Well, excuse me Sophie, they have been dealing with several different people, one of which was the J & L, there were some other sites that they were dealing with that I don't think we should discuss here within Council and I'm sure Eazor's is one thing, I have to appreciate that what I have been reading in the media in regard to Eazor, they are probably having somewhat of a cash flow and the City might have a tremendous buy here, I'm not denying that. What I am raising questions to is that we have \$3.2 million coming out of a capital project. Now I am concerned about some of those capital projects and how this money is going to be refunded back into them. I look at the Bloomfield Bridge and other major projects that we have coming down with cost overruns --

**The Chair:**

Mr. Givens, not to cut you short, why don't we wait until that is introduced and then we'll have the Director in and have the Director explain as to -- I mean we can't really get any answers from anybody here now.

**Mr. Givens:**

Well, let's then put it from this Council, Mike, indicate that I would like to speak to people within the Administration in regards to this legislation. I mean, its never happened like this before, Jeep, to this tremendous amount. They are going to have to show me what the appraised value of that property is down there, both land and buildings --

**The Chair:**

I understand your concern, I think everyone else does, but at the same time, we're still going to have those people in on Wednesday at the meeting to explain the whys and where they are going.

**Michelle Madoff:**

Mr. President, on the same bill, I agree that we really need some discussion and some information from the Administration. I don't know how many other members of Council were called, I thought they were calling everyone. I had a call this weekend from Ben Hayllar to inform me that this bill was going to be un-tabled, that the money set aside in the '82 Budget that was included in the '82 Appropriations from the Capital Budget to buy a facility to have a central garage and that they were going to, in effect, keep Eazor on the premises and thereby have some revenue and not push them out of the community. I don't know how much truth there is in that, because it is universally known that Eazor is in tremendous financial plight, but there may be some jobs that they may keep, and as you say, that should be answered on Wednesday. But I think there is another thing we want answered at the same time, which is why I am bringing it up now so they can't say let's hold another meeting. That is, I want to know why, when I asked Mr. Jack Robin at an Allegheny

Conference luncheon, and proposed to this Council that we condemn by Eminent Domain, the J & L site, which was the most perfect site for a central garage for us. Instead of having that property sold for \$5 million to an outsider who in turn is re-selling that property, we could have had our garage, we could have had PACER next door, we could have had our cars washed for nothing, everyday, our garbage trucks washed down and we could have made a profit. And that is innovative thinking and not government by bureaucracy. We've missed the boat right down the line and I said if this happened I was going to raise the roof and I am. And I don't see how we can make something look like its pristine -- I don't see how we are going to vote against it because we need that central garage, but we could have been in a far better situation than we are now. And I want an answer when Mr. Hayllar and the Mayor and Larry Yatch to be here on Wednesday. I want to know why we didn't buy the J & L site and condemn it at fair market value, and we would have been the real estate agent selling and making some money on it. Other cities are now -- we have a building Mr. President, on the North Side, that we just bought for U. R. A., we just bought it from someone and the conversation in the media was that we were going to build housing. Do you know in other cities they are building hotels in the cities maintaining a third or a portion of that building as revenue so it keeps pace with inflation. We don't do anything innovative like that.

#### **The Chair:**

We're getting a little fill Michelle, we're talking about this one location for a garage and if I recall, the City has looked a long time for a location. I don't care to give an opinion at this time, I know Mr. Woods who is the Chairman of the Supplies committee, and I have met

with Larry Yatch of the Supplies Department, when they told us they thought they were finally settled on the Eazor property, but as Mr. Givens brought out, this is something we have to discuss at the table and they have to give us some good reasons why and tell us where the money is coming from. But we have to be fair about it, they have looked a long time and I'm not saying it is the best thing, I don't know, all I know is that this is the site they have apparently agreed on.

#### **Mr. Givens:**

I might be a hundred percent for it Mr. President, but my concern is that I think the Administration ought to have -- that we ought to have some dialogue back and forth prior to that Wednesday session and I so ask for the Chief Clerk to notify them of that.

#### **Michelle Madoff:**

And I would like to have Mr. Yatch here at the same time and if possible, if we can get Mr. Jack Robin because he said we can put the good faith and value of the City behind borrowing that money and then paying it back, because then we would be selling the property off and making a profit right off the bat, he agreed with me, and I don't know why it wasn't done.

Also,

No. 4250 Resolution providing for a license to Duquesne Light Company for the installation of one (1) pole together with crossarms, cables and wires, one (1) anchor, guys and other necessary appurtenances on City property fronting on Noblestown Road, 28th Ward.

Also,

No. 4251 Resolution providing for

a license to Duquesne Light Company for the installation of one (1) anchor and other necessary appurtenances on City property fronting on Noblestown Road, 28th Ward.

Also,

No. 4252 Resolution providing for a license to Duquesne Light Company for the installation of one (1) anchor and other necessary appurtenances on City property fronting on Federal Street, 22nd Ward.

Also,

No. 4253 Resolution providing for a contract or contracts or the use of existing contracts in connection with Renovations, Various Public Building and providing for the cost thereof, not to exceed \$20,000, payable from LB 79-11, Renovations, Various Public Buildings, Department of Lands and Buildings.

Also,

No. 4254 Resolution amending Resolution No. 1589 of 1978, the 1979 Capital Budget, by providing for an additional appropriation of \$20,000.00 for Project LB 79-11 (4-25-15-0001-79), Renovations, Various Public Buildings, Department of Lands and Buildings.

Also,

No. 4255 Communication from Paul E. Evers, Director, Department of Lands and Buildings, requesting interim approval of payment of \$3,500.00 to Stanley Magic-Door, Inc., for work on automatic doors at Ross Street entrance of City-County-Building, to be payable from CDLB 81, Public Building Access by Handicapped, Department of Lands and Buildings.

Which were severally read and referred

to the Committee on Lands and Buildings.

#### Mr. Givens presented

No. 4256 Resolution providing for the issuance of a warrant to Sofis Company, Inc., in the amount of \$89,000.00 in payment for "Extra Work" furnished for the benefit of the City in connection with the Rehabilitation of the Murray Avenue Bridge over Beechwood Boulevard; and providing for the payment thereof. Funds are available in Code Account PW 80-32.

Also,

No. 4257 Resolution transferring the amount of \$125.00 from Code Account 1533-Repairs to Code Account 1544-Sewer Maintenance Contracts, both within the Bureau of Engineering.

Which were read and referred to the Committee on Finance.

Also,

No. 4258 Resolution granting unto Anna Passaro, 1705 Forbes Avenue, First Ward of the City of Pittsburgh, her successors and assigns, the privilege and license to continue to maintain and use, at her own cost and expense, for the duration of the present structure, that portion of 1705 Forbes Avenue (front steps and aluminum awning) encroaching in Forbes Avenue.

Also,

No. 4259 Resolution granting unto the Bigelow Apartments, Pittsburgh, PA, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense a planter box, to be constructed along the building along

Sixth Avenue and Center Avenue in the Second Ward of the City of Pittsburgh.

Also,

No. 4260 Communication from Louis Gaetano, Director, Department of Public Works, requesting permission for Messrs. Edward McGee, Frank Gigliotti and Joseph Tumas to observe the operation on a Bridge Inspection Truck, St. Paul Minneapolis on October 15 and 16, 1981, cost not to exceed \$15,000.00, chargeable to and payable from C.A. 1502, Misc. Services and C.A. 1610, Misc. Services, Department of Public Works.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 4261 Resolution further amending Resolution 1428, approved December 30, 1980, effective January 1, 1981, by appropriating \$180,000 to C.A. 1702, Municipal Obligation for Non-City Water Agencies and \$200,000 to C.A. 1750, Chemicals; and decreasing currently estimated fair return from \$2,890,000 to \$2,510,000.

Which was read, and referred to the Committee on Water.

**Michelle Madoff:**

I have slip of paper here for a motion to suspend Rule 8, but I read the bill when I got in this morning and I don't know that I am going to support this bill, although I don't know if we have any choice. This is \$180,000 to subsidize the City users who use West Penn Water's — you know, supplied by West Penn Water. Its over \$2 million now, they just got a rate increase from the PUC; we have, I believe, raised our rates to them, but

insignificantly, and West Penn Water has two options, they've been talking about buying our water which would give us revenue, and also, we have talked about buying out West Penn Water, so, I would like, before I do anything with this bill, to send a not to the Director that I am doing nothing on it until I hear from Marv Fine, what has happened with that bogged down legislation, when they dealt with the PUC to buy West Penn Water, that's number one. And number two, how is he going to raise the rates to West Penn Water so that we can really meet this deficit substantially, the increase in water rates is a joke.

Now, what do I do on moving on this Rule 8 Mr. President?

**Mr. Perry:**

Move for the suspension of Rule 8.

**Michelle Madoff:**

Well, when can we have a hearing on this? I mean a Post Agenda.

**Mr. Perry:**

If you move for suspension of Rule 8, that bill will be in committee on Wednesday.

**Michelle Madoff:**

So then he would have to be here this Wednesday?

**Michelle Madoff:**

Okay.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Robinson presented**

No. 4262 Resolution authorizing the URA of Pittsburgh to acquire all of the city's right, title and interest, if any, in and to the City owned property in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, being part of Lot No. 17, in Richard Cowan's Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 1, Page 110, under the RLRF.

Also,

No. 4263 Resolution authorizing the URA of Pittsburgh to acquire all of the city's right, title and interest, if any, in and to the City owned property in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, being part of Lot Nos. 20, 21, 22, 23, 24 and 25 in Richard Cowan's Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 1, Page 110, under the RLRF.

Also,

No. 4264 Resolution authorizing the URA of Pittsburgh to acquire all of the city's right, title and interest, if any, in and to the City of Pittsburgh, County of Allegheny and School District of Pittsburgh owned property in the 19th Ward of the City of Pittsburgh, being part of Lot No. 18 in Richard Cowan's Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 1, Page 110 under the RLRF.

Also,

No. 4265 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any in and to the City of Pittsburgh, County of Allegheny and School District of Pittsburgh owned property in the 19th Ward of the City of Pittsburgh, being part of Lot No. 19 in Richard Cowan's Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 1, Page 110, under RLRF.

Also,

No. 4266 Resolution authorizing the conveyance of Land in the 19th Ward of the City of Pittsburgh from Urban Redevelopment Authority of Pittsburgh to the Pittsburgh & Lake Erie Railroad Company.

Also,

No. 4267 Resolution authorizing a Third Amendatory Cooperation Agreement for the North Shore Redevelopment Project providing for the conveyance of certain city-owned property to the Urban Redevelopment Authority of Pittsburgh and for certain changes in the financing of the project.

Also,

No. 4268 Resolution authorizing the Urban Redevelopment Authority to file an amended application with the PA Department of Community Affairs for an additional \$2,583,317 for the North Shore Project.

Also,

No. 4269 Resolution approving the sale of Parcels 209 and 268 (1327 Sheffield and 1326 Hamlin) in the 21st Ward of the City of Pittsburgh by and between URA and Ernest J. Sota for \$1,245.00 -- Redevelopment Area No. 27.

Also,

No. 4270 Resolution approving the sale of Parcel 48 (1613 Secgwick) in the 21st Ward of the City of Pittsburgh by and between URA and Manchester Associates for \$600.00 — Redevelopment Area No. 27.

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone presented**

No. 4271 Resolution transferring the aggregate sum of \$3,200.00 within Code Accounts of the Department of Law.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 4272 An Ordinance further amending the Pittsburgh Code, Title Two, Fiscal, Article I, Administration; Chapter 209, Violations, Fines, Interests and Penalties; on unpaid Occupation Privilege Taxes withheld by employers; by making the interest provisions of this Chapter applicable to Amusement and Parking taxes; and by changing the rate of interest due on unpaid taxes.

Also,

No. 4273 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 241.05, Collection and Payment of Tax, by re-including penalty and interest provisions.

Also,

No. 4274 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.03, Collection through Employers, by adding a subsection providing penalties in the event of non-compliance by employers.

\* Also,

No. 4275 An Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Article IX, Amusement Businesses, Chapter 777, Mechanical Amusement Devices, Section 777.01, License Required; Exception, by clarifying "device"; and Section 777.04, License, Relocation and Transfer Fees, by raising the license fees, clarifying "device", and eliminating transfer and relocation fees.

Also,

No. 4276 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by increasing the rate of tax.

Also,

No. 4277 An Ordinance further amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Rule Earned Income Tax, Section 246.02, Imposition of Tax, by increasing the rate of tax.

Also,

No. 4278 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04, Tax Rate, by increasing the rate of tax.

Also,

No. 4279 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate; Compliance; and Section 253.06, Collection, by changing the rates of tax, penalty and interest.

Also,

No. 4280 An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, by adding Chapter 256, the Home Rule Realty Transfer Tax.

Also,

No. 4281 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax, Section 1, Levy and Rate on Lands and Buildings, by imposing the Real Property Tax for 1982.

Also,

No. 4282 An Ordinance amending the Pittsburgh Code, Title Three, Water, Article V, Rate, Charges and Uses, Chapter 331, Usage Rates, Section 2, by changing the rates.

Also,

No. 4283 An Ordinance amending

the Pittsburgh Code, Title Three, water, Article V, Rates, Charges and Uses, Chapter 332, Unmetered Water Rates, by changing the rates.

Also,

No. 4284 Resolution amending Resolution No. 107, approved February 6, 1981, effective February 17, 1981, entitled, "Resolution providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters; and providing for the payment of the cost thereof." by increasing the authorized amount from \$10,000 to \$13,000 and providing for the payment of the cost thereof, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 4285 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer, to attend a meeting with various legislators on the Mayor's Legislative Package in Harrisburg, PA, on Tuesday, November 10, 1981. The cost of the trip will not exceed \$250.00 and funds are available in Code Account No. 1017, Miscellaneous Services.

Also,

No. 4286 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer, to attend hearings on local tax legislation, Harrisburg, PA, on Tuesday, November 17, 1981. The cost of the trip will not exceed \$250.00 and funds are available in Code Account No. 1017, Miscellaneous Services.



Also,

No. 4287 Communication from Richard S. Caliguiri, Mayor, requesting permission for David Matter to attend hearings on local tax legislation, Harrisburg, Pa, on Tuesday, November 17, 1981. The cost of the trip will not exceed \$250.00 and funds are available in Code Account No. 1017, Miscellaneous Services.

Also,

No. 4288 Communication from Ronald Schmeiser, City Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of September 30, 1981.

Which were severally read and referred to the Committee on Finance.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 4289

Report of the Committee on Finance for November 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3816

Resolution entitled, "Resolution providing for an agreement or agreements with Coopers & Lybrand, Certified Public Accountants, for professional auditing services in connection with the Revenue Sharing Program and providing for the payment

of the cost thereof."

Which was read.

Also,

Bill No. 4166

Resolution entitled, "Resolution transferring the sum of \$394,000 from various code accounts to various code accounts within the Department of Supplies."

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4177

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Gal Construction, Inc., in the amount of One Thousand Six Hundred Ninety Two (\$1,692.00) Dollars in

payment for 'Extra Work' furnished for the benefit of the City in connection with the reconstruction of the Franum Street Bridge; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4178

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Dan Construction Company in the amount of Seventeen Thousand Five Hundred Ninety Two Dollars and Ninety Eight Cents (\$17,952.98) in payment for 'Extra Work' furnished for the benefit of the City in connection with the widening and repaving street intersection at Spring Garden - Chestnut Street area; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4179

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Anthony Crane Rental, Inc., in the amount of Six Thousand Three Hundred Sixty Four Dollars and Eighty Nine Cents (\$6,364.89) for the rental of a 1400 ton crane and the services of related personnel, furnished without previous authority of law; and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4184

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of M. DePasquale, Inc., 4740 Wallingford Street, Pittsburgh, PA 15213 in the amount of \$4,000.00 in payment for Removal and Relocation of an existing 42" Flanged Nipple and a 42" x 36" Lead Joint Reducer with City Controller Contract No. 24778 and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Robinson
Michelle Madoff	Mr. Stone
Mrs. Masloff	Mr. Woods

AYES 8 NOES none  
(MR. DE PASOUALE ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4188

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Fouts Zoological Co., Inc., in the amount of \$1,780.00 in payment for the purchase of rare birds, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4192

Resolution entitled, "Resolution providing for the issuance of a warrant in the amount of \$950.00 in favor of James Karis, Inc., 3231 West Carson Street, Pittsburgh, PA 15204, in payment for the emergency shoring of building at 5755 Pierce Street, without previous authority of law, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4197

Resolution entitled, "Resolution providing for the issuance of a warrant to David Brown, c/o Jerome M. Libenson, Esquire, 10th Floor, Frick Building, Pittsburgh, Pennsylvania 15219, in the amount of \$1,200.00 in full settlement of claim for personal injuries and providing

for the payment thereof."

Which was read.

Also,

Bill No. 4198

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Hewlett Packard Company for the cost of three data entry display stations without previous authority of law. Interim approval granted as per letter of intent, dated October 7, 1981."

Which was read.

Also,

Bill No. 4199

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of James L. Smith Insurance Agency, Three Parkway Center, Pittsburgh, PA 15220, in the amount of \$1,500.00 in payment of Self Insurer's Bond for Workmens' Compensation for the period April 26, 1981 to April 26, 1982 and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens

Mr. Robinson  
Mr. Stone

Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4200

Resolution entitled, "Resolution providing for an Agreement or Agreements with On-Line Systems, Inc., for professional computer programming and data processing services as a means for complying with the U.S. Department of Labor reporting and tracking requirements under the Comprehensive Employment and Training Act, and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 4225

Resolution entitled, "Resolution transferring the sum of \$3,000 from Code Account No. 1457, Purchase of Uniforms and Equipment, Department of Police, to Code Account No. 1446-1, Investigation Expenses, Department of Police."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4232

Resolution entitled, "Resolution providing for the issuance of warrants in the aggregate amount not to exceed \$450.00 in favor of fifteen (15) persons who provide proctoring services for the benefit of the City in connection with the administration of the Department of Personnel and Civil Service Commission's 1981 Police Promotional Examination on November 14, 1981, and providing for payments thereof."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mr. Robinson  
Mr. Stone  
Mr. Woods

Mrs. Masloff  
Mr. O'Malley

Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 4290

Report of the Committee on Public Works for November 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4180

Resolution entitled, "Resolution amending Resolution No. 257, approved March 13, 1981, effective March 23, 1981, entitled, 'Providing for a Contract or Contracts, or the use of existing contracts for the rental of equipment and payment for miscellaneous services in connection with the City Capital Construction Division' by increasing the authorized amount from \$57,800.00 to \$67,800.00."

Which was read.

Also,

Bill No. 4181

Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution No. 849, approved August 19,

1980, as amended by Resolution No. 970, approved September 25, 1980, as amended by Resolution No. 1026, approved October 10, 1980, as amended by Resolution No. 1105, approved October 24, 1980, as amended by Resolution No. 1390, approved December 31, 1980, as amended by Resolution No. 390, approved April 22, 1981, as amended by Resolution No. 538, approved June 1, 1981, as amended by Resolution No. 885, approved August 24, 1981, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program,' by redefining the funding sources."

Which was read.

Also,

Bill No. 4182

Resolution entitled, "Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, as amended by Resolution No. 539, approved June 1, 1981, effective June 10, 1981, as amended by Resolution No. 685, approved July 17, 1981, effective July 23, 1981, as amended by Resolution No. 755, approved July 29, 1981, effective August 10, 1981, as amended by Resolution No. 886, approved August 24, 1981, effective August 31, 1981, as amended by Resolution No. 927, approved September 24, 1981, effective October 1, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program,' by redefining the funding sources."

Which was read.

Also,

Bill No. 4183

Resolution entitled, "Resolution changing the name of a portion of Scorer Street from Interboro Avenue to its southeasterly terminus, in the Thirty-first Ward of the City of Pittsburgh to Parkside Drive."

Which was read.

Also,

Bill No. 4209

Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for soil exploration work in conjunction with the Gomer Street Wall; and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 4291

Report of the Committee on Planning, Housing and Development for November 11, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 3912

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7 by changing from 'R3' Multiple-Family Residence District to 'R1' One-Family Residence District all that certain property bounded by: Bigbee Street; Etta Street; Dictom Way and Aline Street, 18th Ward."

Which was read.

Also,

Bill No. 4193

Resolution entitled, "Resolution amending Resolution No. 769, approved August 8, 1980, effective August 14, 1980, entitled, Resolution amending Resolution No. 732, approved June 30, 1978, as previously amended by Resolution No. 819 of 1978, and Resolution Nos. 699 and 806 of 1979, so as to increase the amount provided in the Original Agreement (#23527-F) from \$1,542,300 to \$1,792,300; and further to extend the term of the original Agreement.' by increasing the amount of the Agreement."

Which was read.

Also,

Bill No. 4196

Resolution entitled, "Resolution, Whereas the Council of the City of Pittsburgh has heretofore passed a resolution under the provisions of Section 993.01(a)A(10) of the Pittsburgh Code, for authorization to construct a Four-Story and Basement Institutional Facility (Housing and Nursing Care for the Elderly) containing 180 beds with outside parking for 107 cars to Lemington Home for the Aged. The property is zoned I-M' Institutional-Medical District and has 265 feet of frontage along the northerly side of Lincoln Avenue between Campania Avenue and Ross Garden Road, 12th Ward, City of Pittsburgh, in accordance with Conditional Use Application No. 409 — Modified, and accompanying Site Plan dated 24 January 1980, prepared by Onque'-Harai Associates/Architects, which are on file in the office of the Zoning Administrator, Department of City Planning and which are incorporated herein by reference thereto."

Which was read.

Also,

Bill No. 4229

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Open Doors for the Handicapped of Pennsylvania, Inc., located at 6592 Hamilton Avenue, Pittsburgh, for the acquisition of a building at 6558-6564 Frankstown Avenue, Pittsburgh, so as to accomodate the relocation of the Agency's services, office personnel, support personnel and centralization of the 12 transportation units operated under the Magic Carpet Transportation Service."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### Michelle Madoff presented

Bill No. 4292

Report of the Committee on Water for November 11, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4185

Resolution entitled, "Resolution amending Resolution No. 616, approved July 2, 1981, which presently reads as follows: 'Resolution providing for an Agreement with the Borough of Blawnox for water supply through an existing water line connection and water meter

located in Freeport Road, Borough of Blawnox."

Which was read.

Also,

Bill No. 4186

Resolution entitled, "Resolution providing for an Agreement with the Borough of Millvale for water supply through a metered connection to the City of Pittsburgh's 60" water main in Grant Avenue in the Borough of Millvale."

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **Mrs. Masloff presented**

Bill No. 4293

Report of the Committee on Parks and Recreation for November 11, 1981 transmitting sundry resolutions to

Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4189

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for renovations to the Leslie Recreation Building as a Senior Citizens Center; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4190

Resolution entitled, "Resolution providing for the acceptance by the City of Pittsburgh from the School District of Pittsburgh of certain property in the 25th Ward of the City of Pittsburgh, known as Fineview Tennis Courts, for so long as it is used for public park purposes, for a nominal consideration plus the cost of title examination, recording of deed and other proper closing expenses, and providing for the payment of the same."

Which was read.

Also,

Bill No. 4191

Resolution entitled, "Resolution providing for an amendment of the existing agreement or agreements with the Western Pennsylvania Conservancy for the development of additional community gardens on city-owned property; and providing for the additional payment of the cost thereof."



Which was read.

Also,

Bill No. 4238

Resolution entitled, "Resolution amending Resolution No. 846, passed in Council August 17, 1981, entitled, 'Providing for an Agreement or Agreements with the Lincoln-Larimer Athletic Association, for purchase of football uniforms and equipment and transferring the sum of \$5,000.00 to Code Account No. 1838, Department of Parks and Recreation', to provide for an Agreement or Agreements with the Lincoln-Larimer Athletic Association, to provide a football athletic program for needy youth."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 4294

Report of the Committee on Public Safety for November 11, 1981 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4168

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Six - Conduct, by adding Article I - Regulated Rights and Actions, Chapter 611, Commercial Public Nuisances." (AS AMENDED IN COMMITTEE)

Which was read.

**Michelle Madoff:**

Mr. President, I would like to ask Mr. Woods a question if I may, do I have your permission?

**The Chair:**

Yes.

**Michelle Madoff:**

Mr. Woods, the other evening, Councilman O'Malley and myself were on a talk show on an entirely unrelated matter, and we heard that Marv Fine, the City Solicitor, I don't know if you are aware of this, had been on the show the previous week, thinking he would be there a half an hour, and people were up in arms because they felt there should be a public hearing on this bill. I presume you've checked and its not required, is that correct?

**Mr. Woods:**

That's right.

**Michelle Madoff:**

Would you have any objection to a public hearing?

**Mr. Woods:**

Yes.

**Michelle Madoff:**

You don't believe people have a right to be heard? I mean, my feelings are that Marv Fine has assured me we are not in violation of the First Amendment but I'm not sure of that.

**Mr. Woods:**

Michelle, I believe everyone has a right to be heard, but not in this particular case.

**Michelle Madoff:**

Why?

**Mr. Woods:**

I feel it is a public nuisance bill, it is just what it says. I don't know what anyone could come and say that could change my mind, or I believe, anyone else that voted on this bill that read it. Like you, yourself. I mean, are they going to say that they do want these objects hanging in the window? I mean, I don't see anything --

**Michelle Madoff:**

I don't know what they are going to say, I presume they are going to address the legality of the First Amendment, I think that is really the concern.

**Mr. Woods:**

Well, I think you asked that same question last Wednesday and you were assured --

**Michelle Madoff:**

By someone I trust.

**Mr. Woods:**

Right, that it wasn't, and also, there was an individual that helped work on this bill with us, he used to be with the Attorney General's Office and prosecuted many of these cases, Fay Gardner. In fact, she is nationally known and this is the type of bill she writes, she wrote for a couple different states, for a couple different cities and she has assured us also that it has not infringement on the First Amendment, in fact, this bill isn't quite as strong as the others.

**Michelle Madoff:**

Well, all I am saying is that I think if people have arguments that prove that this is a violation to the First Amendment, and I guess that it was stated by Marv Fine that the only way you are going to know is a test case.

**Mr. Woods:**

Well, Michelle, if they want a hearing, I imagine anyone can petition as long as they have 25 signatures, but this bill is up today and I want it to go through today.

**Michelle Madoff:**

Mr. President, could you counsel me, or perhaps the Parliamentarian, could the bill be amended again once its past? If we vote for it and we have a public hearing, 25 people have signatures and they feel, with several legal counsels, that indeed, it violates the

First Amendment, can it then be changed back Mr. Woods? I'd like that from the Parliamentarian.

**Parliamentarian:**

You can amend any bill.

**Mr. Woods:**

Any Ordinance, you can always write a resolution, if you feel at some time in the future that you would like to change it, you have every right, just like this was, under the same statute and change it. Any one of us can do that.

**Michelle Madoff:**

Mr. Woods, I was floored, I think Councilman O'Malley was surprised, to hear that it was overwhelmingly — I think for other than three people calling for three hours, there seemed to be an overwhelming concern about, particularly, the rights of the First Amendment, and I wonder whether or not we ought to hear from these people as to whether it violates the First Amendment, which is one of my only concerns.

**Mr. Woods:**

Well, Michelle, probably all of these massage parlor owners got all of their employees and all of their customers and said, Well, let's get on this show and make all these phone calls and say First Amendment. That's how I feel about it.

**Michelle Madoff:**

See, I never get any of my friends calling in for me, I should do that.

**The Chair:**

I know some people who are adept

at rigging those programs.

**Mr. Flaherty:**

Have you had any input from the ACLU in regard to this bill Ben? Have you heard from the ACLU?

**Mr. Woods:**

No, I haven't.

**Mr. Flaherty:**

No you haven't. Okay.

**Michelle Madoff:**

Have you?

**Mr. Flaherty:**

Yes I have. Well, on two previous occasions you have referred, I believe, to states that have enacted a similar bill. Which states are they?

**Mr. Woods:**

The State of Ohio, the State of Georgia, and the State of Pennsylvania, our own State Code is similar.

**Mr. Givens:**

The State of California.

**Mr. Woods:**

And the State of California. If you would like me to — after this bill is voted on Tom, I will give you my complete file on it, if you would like and then you can take it to the ACLU or whoever you —

**Mr. Flaherty:**

But what you were saying, that the State Codes for Ohio and the other

states are very similar to --

**Mr. Woods:**

They are a lot tougher, if you want to use those words, and in the City of Atlanta. So, this is mild in comparison to the others and they have all been upheld, they have held the test.

**Mr. Flaberty:**

Okay, I have one more question. Are there any municipalities in our Commonwealth that have enacted similar legislation?

**Mr. Woods:**

Yes, I stated that. In fact, I think you read the paper, and the City of Erie, the Borough of Mt. Lebanon, I think Allentown, and they are all a lot tougher than this. I move for the vote Mr. President.

**The Chair:**

I don't really follow this line of questioning. I think you have talked to the City Solicitor and I think we had it clarified last Wednesday that it was legal to go ahead with this bill, am I right?

**Mr. Woods:**

That is right.

**The Chair:**

Okay. And yet we are getting questions as to what the ACLU thinks and the other organizations thing and all I'm concerned with is if it is a legal bill and you want to propose it and if it is voted up it is up and if it is voted down, it is voted down. Go ahead Mr. Robinson.

**Mr. Robinson:**

Mr. President, on Council Bill 4168, with all due respect to Councilman Woods and the persons who prepared this legislation, I personally have some serious reservations relative to any legislation that appears or violates the First Amendment right -- the free speech, free assembly. However, I believe that this Council must balance that right, that is the right of the individual, against the community right, and make a decision to not only protects both rights, but has as its major objective, the improvement of the quality of life in the City of Pittsburgh, if that is the intention of Mr. Woods' bill, then I wholeheartedly support it.

I have another concern, that as we perhaps indicate that we would prefer that certain types of businesses operate in a certain fashion, in various zoning areas, that we also be cognizant of the fact that there are many neighborhoods in our communities which often times become places where businesses that perhaps do not improve the quality of life, settled and developed. I think some of the businesses that Mr. Woods has identified over the last couple of months, as perhaps not being quite the type that we would like to see prosper in our community, also are businesses that sometimes are initiated and encouraged in some of our neighborhoods outside of the downtown area.

I would hope that if Council chooses to pass this particular piece of legislation, that it also would make some sort of statement that we are not in any way, encouraging the businesses that Mr. Woods has identified as perhaps being a little undesirable in our community, we are not encouraging them to go into other neighborhoods. We are not encouraging anyone to do anything that is going to lessen the quality of life in our community, because I understand this legislation is aimed at improving the

quality of life in this city because it is in the community interests and I would assume that includes those people who live outside the downtown area.

**Mr. Woods:**

Bill, you are right, and I thank you, that is the complete intent of this bill on both of your questions.

**Mr. Flaherty:**

Mr. President, I also commend Councilman Woods in regard to this bill, but I have serious problems in regard to voting for it. For example, in the prologue of the bill, and to pick up on what Councilman Robinson has said, I believe that this is a very close call between the rights of the individual and perhaps an infringement on the rights of the community. I certainly believe that we have more than enough massage parlors and porno shops in the City. Certainly in the downtown area. Unfortunately, in my opinion, I feel that the bill tends to overkill and instead of having a clause perhaps that would restrict future shops, porno shops, opening, this bill seems to give, or seems to empower the City to close all of the ones that now exist, or there certainly exists the possibility that perhaps all of the porno shops should be closed down. My main concern is not with porno shops perse, but I believe that when we have an influx of them, such as Councilman Woods states in the prologue, that it does tend to hurt the health and safety and convenience of the City and its citizens. I believe we all know that there are criminals who tend to pray upon the weakness of others, certainly in regard to their sexual drives and appetites. In a nutshell I am opposing this bill because I believe that it is in violation of the rights of an individual's First Amendment and I have serious problems in trying to see my way that

the court has the right to define what an average adult person is, what are contemporary community standards and what constitutes artistic, political, educational or scientific value. I believe that sexual preferences are a personal preference, not a public preference. Therefore, if the bill would have been more attuned to personal preferences, perhaps infringing upon public preferences then I could have supported it but I believe that it is too strong of a motion and infringes on an individual's rights of the First Amendment.

**Mr. Stone:**

Mr. President if I may, I think that what Mr. Woods has indicated here, and he and Mr. Robinson in conjunction, have indicated that it is not a strong bill so to speak, it is not specific in the sense that it is trying to wipe out anything, but it is trying to get a balance between the different forces here as to what they like or what others dislike. I think the kind of legislation that he is giving is dealing in those public places. I don't think he is restricting anyone from having a fanfare in his own private home or with someone else if he wants to, but he is indicating that he doesn't want this kind of structure to be the structure of this community, according to the standards of the community. I think that he has wisely chosen not to be too heavy, but rather to have something that does give some even balance between those respective rights.

I ask that we move the question at this time.

**Mr. Givens:**

I will vote aye on this bill, and I think all of those people who shall own, legally, or equitably, lease, maintain, manage, conduct or operate a facility which is declared to be a public nuisance,

as set forth in this particular ordinance should be punishable under the law. This has been tested in the Supreme Court in the State of California and it is on its way up to the Supreme Court of the United States I am sure.

I think Ben Woods is to be commended in his effort to eradicate this blight that we have, especially on Liberty Avenue in the City of Pittsburgh and some places over on the North Side of the City of Pittsburgh where Ben comes from.

So, I wholeheartedly support this and I would like one more thing, Mike, if a letter would be directed to the Superintendent of Police; I want a monthly report for the next year as to how many cases, or how many arrests have been made under this particular ordinance.

#### **Michelle Madoff:**

I am going to vote aye on this bill for a different reason. I certainly support Councilman Woods' statement, and I think, as Mr. Robinson said, it gives us a balance and I think we have to vote for the bill. And I am voting for it because Marv Fine, who I trust, tells me it is not in violation of the First Amendment. But I think two things will happen. I think we will expedite those who are going to be shut down, like a massage parlor, and they will immediately take it into court and once and for all, we will establish community standards for Pittsburgh, at least attempt to establish in various areas, and I would like to see community standards established. As you recall, when we voted on Warner Cable, I stated then that I would not vote for anybody and the opposition -- I think we only had two choices at the time, really, ATC and Warner, and ATC had spermathons, and Ugly George and Midnight Blue, and I've

talked to reporters and I've said, at what point do you say no? Well, one reporter said when it gets to children he says no and I say it is abuse of women, it is no. I think we have to have some community standards so when other issues come up, we've established some community standards, and I think this will expedite that and so I certainly vote in favor.

#### **Mr. Stone:**

I have one additional comment, if I may, I would like to join in with Mr. Robinson's concern. We are not addressing in this bill purely downtown Pittsburgh. Every community in the City of Pittsburgh needs the kind of treatment and to be free of those things which we won't tolerate in downtown, and we likewise won't tolerate them in our local communities.

#### **Mr. Woods:**

To assure Mr. Stone and Mr. Robinson, as I said before, this bill is for the entire City of Pittsburgh, not just downtown. It is for out in our neighborhoods.

#### **The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

#### **Ayes:**

Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES 1

(MR. FLAHERTY VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Woods:**

Mr. President, I would like to thank all of the people who helped put this bill together in the numerous months that we worked on this bill. I would like to thank all of my colleagues who voted for it, and the individual who voted against it, I hope in the future he will see that this is a good bill.

**Mr. Flaherty presented**

Bill No. 4295

Report of the Committee on Lands and Buildings for November 11, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4173

Resolution amending Item (M) of Resolution No. 959, approved 10/1/81, for the sale of vacant lot on rr. Southern Avenue, designated as B & L 4-K-231, to Robert J. & Nicoletta L. Luttig, for the sum of \$450.00. Amendment is to correct spelling of former owner's name.

Which was read.

Also,

Bill No. 4174

Resolution amending Item (F) of Resolution No. 960, approved 10/1/81,

for the sale of vacant lot on rr. Meadow Street in the 12th Ward, B & L 124-J-104-A, to Joseph D. & Victoria Mainiero, for the sum of \$500.00. Amendment is to include additional information in the lot description.

Which was read.

Also,

Bill No. 4175

Resolution amending Item (J) of Resolution No. 994, approved 10/13/81, for the sale of vacant lot on Yetta Street, 24th Ward, B & L 24-A-326, to Edward A. Rau, for the sum of \$250.00. Amendment is to correct Plan Lot description.

Which was read.

Also,

Bill No. 4176

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

Quick discussion. Mr. Perry, would it be inconvenient for you, on your listing, to write side lots where appropriate? S.L., just S.L., on the sheet we get on final vote? Would it be awkward to write S.L., because you are already indicating that somewhere, I

believe. I would appreciate it because for example, on the first one, 4th Ward, one immediately thinks of Oakland and says, "Wow", and you've got somebody offering \$250,000 for a lot 24' by 100'. In all likelihood that is a side lot, but it might be a buildable lot, I don't know, for \$250. If you just indicate S.L., I would appreciate it.

**Mr. Stone:**

You're doing that on Wednesday's Mike.

**Michelle Madoff:**

I would appreciate it, that's all, its not a big issue.

**Mr. Perry:**

Okav. I'll do that.

**Michelle Madoff:**

Thank you.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

**AYES 9**

**NOES none**

And a majority of the votes of Council being in the affirmative, the

bills passed finally.

## **MOTIONS AND RESOLUTIONS**

**Mr. Flaherty presented**

No. 4296 WHEREAS, the American Federation of Labor and the Congress of Industrial Organizations is today commencing their Centennial convention in New York City; and

WHEREAS, the Federation marks its birth at a meeting in Pittsburgh on November 14, 1881, when 107 union persons formed the Federation of Trades and Labor Unions; and

WHEREAS, subsequently under the initial leadership of Samuel Gompers, the Federation for the last century has been the essential mover for the vast social reforms of working men and women in their health, educational, governmental, and economical needs.

**NOW, THEREFORE,**

**BE IT RESOLVED** that the Council of the City of Pittsburgh on this special occasion, congratulates the A.F.L. - C.I.O. and its own Allegheny County Labor Council for their courageous leadership and determination in its 100 year struggle for social justice; and

**BE IT FURTHER RESOLVED**, that the Federation remains as the bulwark of our country's great labor force and continue their successes in meeting today's great challenges of the technological revolution.

Which was read.

**Mr. Flaherty** moved for adoption.

**Mr. Givens** seconded the motion.



Which motion prevailed.

**The Chair:**

I hope we don't have any opposition to this resolution.

**Mrs. Masloff presented**

No. 4297 WHEREAS, Section 3542 of the Pennsylvania Motor Vehicle Code states that the driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk; and

WHEREAS, it has been determined by the Superior Court of Pennsylvania that a pedestrian has a perfect right to rely on the exercise of reasonable care by the drivers of automobiles; and

WHEREAS, an increasing number of pedestrians have reported that many drivers are not adhering to this law, thus posing a serious threat to the safety of Pittsburgh's pedestrians.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby urges the Superintendent of Police to take the necessary steps to enforce more strictly the laws which provide for pedestrian right-of-way at crosswalks, thus ensuring the safety of the thousands of pedestrians who use our city streets.

Which was read.

**Mrs. Masloff:**

Mr. President, I want to point out that while this has been a law and should be enforced, recently there has been a lot of confusion because of the introduction of the right hand turn, therefore, the motorists pay no attention

to the pedestrians who are trying to cross. I've had a lot of complaints, a lot of people's lives have been endangered and are concerned about it and that is why I am introducing this resolution. I move for adoption.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, I certainly support Councilwoman Masloff's resolution. My great concern is that we introduce resolutions and we introduce ordinances, and you know, we propose them and the Administration disposes of them.

On my bill with reference to the noise boxes, for example, and I will show you how it ties in, I listened to my learned colleague, Councilman Stone, who said we already have a nuisance bill, and we ought to enforce it under a public nuisance or under disturbance of the peace, I have spoken with the Superintendent of Police, for those members of Council who remained for the post agenda, when I had the Superintendent here, and he informed us that there is nothing he can do about that bill unless a citizen makes a complaint. Well I spoke to Danny Pellegrini today, in the Law Department, and he is providing me with a letter which should be down before four o'clock today, which says that a policeman has the authority to tell someone to cease and desist on a loud noise box and has the right to bring him in, or just give him a citation if he doesn't listen.

What I'm concerned about is that, what is the good of Sophie coming up with an excellent resolution, and I think that I came up with one that certainly, the public supported, and Councilman Givens came up with similar legislation,

if the Superintendent of Police who I have a great deal of respect for, doesn't tell the policemen that these are concerns that we have, and I think that you addressed it very well, Councilman Givens, when you said on your issue that you wanted a report back as to, indeed, is the law being enforced.

Now, I would like to know how this Council feels when we have a resolution before Council supporting Councilwoman Masloff, I have a bill on noise boxes which we support, but the Superintendent of Police says, "Well...", you know, and then he turns his head the other way. Now, what do we do about it? Do we just have an exercise in futility?

**The Chair:**

You just have to take that chance Michelle.

**Michelle Madoff:**

Well, I don't think we take that chance, we're the legislators, they work for us.

**The Chair:**

I think what Sophie is driving at, obviously the law is on the books now that the pedestrian has the right-of-way, and so often at a crosswalk, you start on a green and some guy shoots around the corner. Well, obviously if you keep going and he hits you and hurts you and he kills you, it isn't going to do you any good, but at the same time, he is wrong, and it happens so often, usually, and fortunately people back off, or they finally slow down. And I know myself, I've been awfully tempted just to drape myself over somebody's hood and pretend I've been hurt, because you know, they just shoot around those corners, and with kids -- I've seen them in school areas,

and there is no concern, they get a green light and wham, they go right around that corner, some kid starts out and they don't have a chance.

**Michelle Madoff:**

Mr. President, I agree with everything you've said and with Councilwoman Masloff's bill, I'm only saying, what good is the bill if the police aren't going to enforce it? Now, I think we need a strong letter from the President of Council, or a letter from Council to the Superintendent of Police saying that when a bill passes in Council we're not just making lots of noise, like the noise boxes, we really mean what we are saying and we would like a report back saying, are they really enforcing our will? Are they taking us seriously?

**The Chair:**

Pittsburgh is probably the most lax city in the United States --

**Michelle Madoff:**

Litter and everything.

**The Chair:**

...and also jaywalking and what have you. I mean in most cities, if they don't arrest you they will warn you about jaywalking, they will warn you about shooting through a crosswalk, but Pittsburgh, I don't know, our police just seem to look the other way. Perhaps they are told to do so.

**Mr. Stone:**

Mr. President, if I may, officially, we opened up deliberations for Budget '82 this morning with all the Directors and department heads. Our budget staff has already been working with me and we have set up some forms already and some

information which we supplied them with this morning, and they are to get back to us, hopefully by the end of this week with some additional information which our budget staff will massage into some form where we can more intelligently meet with the Directors later in the budget schedule. Tomorrow morning at ten o'clock we will open up with Grants and Donations. By now every member of Council should have a complete schedule of what we have tentatively set up as to how we can, with some sense, get through this budget deliberation.

**Michelle Madoff:**

We have nothing.

**Mr. Stone:**

That schedule, and I would like to remind everyone here, is for us, we are going to try to adhere to it as much as possible, but those particular departments at the end of a particular stage will be placed on call, so that in the event we are able to move faster in the earlier stages of it we would move them up so that we have more time. I have a great deal of concern about the time schedule this year. Christmas falls on a Friday, and we would have to have it to the printer before Christmas as it is right now. Therefore, I am trying to accelerate this program, at least this technical collection of information as much as possible so that we can ascertain exactly what is involved. The direction to the department heads and the Directors has been that first we are going to look to see what we can do to cut the deficit that has been proposed of \$48 million; we are going to look into whether or not we are going to have a continuation at or near the same service as we have had in the past and obviously, the last one, if there needs to be any taxes, at that point, where those taxes might more equitably be placed so that

everyone is carrying a load and no one is carrying more than anyone else's load. These are trying times and I think that the citizens of the City of Pittsburgh require us to do that, and I would like to move along those lines with it.

In addition, I am asking at this particular point, since we have some time frames that are difficult, since we have some times which are difficult, that we get the undivided attention of everyone here trying to do the best we can under the circumstances.

**Michelle Madoff:**

Mr. Stone, did you go over with the department heads the possibility, or have you considered the possibility, that I sent out in my memo to department heads ten days ago, that we have efficiency experts, independent efficiency experts, go through each department, because it is like asking the fox to watch the roosters in the chicken coop.

**Mr. Stone:**

Well, part of the problem, and I am not aware of your report, but I did indicate to them that one of the best things that the Mayor has done in '82 is a combination of putting the budget with a collector of the financing of revenues, so that that who collects it knows how to handle it and if he doesn't expect to collect it he won't put it into a budget. My personal belief is one of the reasons we have had some difficulties is because of the archaic budget situation in the past. We had a carryover from one administration who didn't understand budget then, and we've carried him on for these past few years, and in spite of the fact that there has been a great deal of cooperation between the Treasurer's Office, formally with Mr. Donahoe and now with Mr. Schmeiser, who in my

opinion, both of them had good credibility and they have been a very strong input to this city, we have been able to do a lot of things that have been saving the city some monies, such as the lock-box system which got, right now, close to a half-of-a-million more dollars to the City of Pittsburgh. We imposed the situation of having the taxes that are collected by employers paid monthly rather than quarterly so that we can have the monies to invest. Obviously there has been an additional return of interest income to this city and unfortunately we've had a budget staff in the past who, after some people had sincerely cut their staff, then said cut 5 percent. That doesn't make sense when someone who sincerely cut their department is now told to cut 5 percent when they have already cut to the bone and we've rendered that particular department useless.

I have indicated this morning where the Directors would like to know now, since we don't have that prior archaic input, that we see whether or not we ought to re-look at each of the departments to see whether or not they are able to function. It is one thing to cut, but if they can't function it doesn't make sense to cut, because in the long run you are going to be paying more for it. We have some re-organizations, they'll have to be looked at. This budget is going to need a lot of our attention and we've tried to get that across to them, I have asked for their cooperation in fairness to all of the Directors, when they met with our budget staff without their supervisor in budget last year they cooperated with them and he is off the scene now, and I'm hopeful we will get better input than we've had heretofore.

**Michelle Madoff:**

Mr. Stone, with all due respect you did not answer my question. I think

you touched on the issue, you said, "sincerely cutting budget", and you said, "function efficiently". Who is to determine that? I think you need outside independent consultants who will go into the department and perhaps come up with some innovative ways of operating the departments efficiently. You know we had ComPEP go through various departments, but only those departments that the Mayor requested them to go through, and even their recommendations were not taken, and you are not going to have a dependent ComPEP that is part of this community that is involved in some of the structures in this community, being really, an independent efficiency advisor. And I would like to respectfully request, I did this last year and the year before, that we have outside, independent efficiency experts go through all departments to see how we can function efficiently in each department. And I would like your response to that.

**Mr. Stone:**

I will suggest you propose it and we'll vote on it when that time comes. I've heard you say a lot of things that you said that you said later you didn't say. So I'm at a loss to understand what you say when you say you say something.

**Michelle Madoff:**

I'm glad you brought that up. Mr. Stone, you are begging the issue. I sent out a memo to every Director --

**Mr. Stone:**

I don't recall you, for three years, saying that you wanted an efficiency expert -- I've heard you --

**Michelle Madoff:**

Would you like a copy of the

minutes?

**Mr. Stone:**

I've heard you, with a great deal of noise, almost as loud as the radios, indicate that we want this, we want that, and never with anything material, and I think if you want to do something there is a process to do it, you have been here long enough to know and put something in and we will vote on it at that time as to whether, number one, we have the money; number two, it is going to be cost effective for us, and at that point we will make the deliberations as they should be done.

I recall somebody voting for \$180 million of debt, and two years in a row didn't vote to tax anybody to raise that money. I'm at a loss to understand how to even deal with you.

**Michelle Madoff:**

Mr. President, I think that needs a response. Mr. Stone, if you think that this year, you are going to railroad all of Council, you may, but you are not going to railroad me. You are not going to conduct your hearings the way you always have with a sheet that looks like a bowling ball sheet with spares and strikes, and sit there and say to the department heads, "Are you going to fill this job? You're not going to fill this job. Oh, when are you going to fill this job?" without saying, where is the money going to come from for the overall department. Reporters have said to me, by the time you go through a line item, item by item on the 1981 Budget, by the time they get to '82 nobody even cares we're so worn out. I have, and I can prove to you sir, that the statement that you just made was a personality attack, which is your usual style and I had hoped we would not come back to that. I thought Mr. Woods had

introduced to Council that we ought to conduct ourselves with some decorum, but you've made a personal attack on me and I think it requires a response. I have introduced legislation, specific legislation, which you voted down, I will give you copies of that legislation, that asked that we have efficiency experts go through the city, I've done it twice, both times it was voted down, once on a zero-based budgeting bill, and I asked you if you wanted to take that term out, we could do it, but there has been no indication and I see no reason why, if indeed, as a Finance Chairman, you think that I haven't introduced the proper bill, that you sir, being in charge of that department, wouldn't do it in the most efficient, concerned manner so the public would know that indeed we have an efficiency expert going through the departments. And when you talk about our voting for a \$180 million budget last year, or for the items and then not voting for the appropriation, we never voted. All you said was, "Is that alright folks? We've reviewed it, is that alright?" There was never a roll call vote taken, or even a vote in general. Do we vote for the department heads proposals line by line? As a matter of fact, half of the people aren't even there at the meetings, because you don't say there is going to be a vote, so that is an absolute erroneous statement and I don't think there is a reporter in this room, if he is honest with himself, and there are only men here, would not agree to the last statement I made and if they do, I can't believe they would do something that would not be in keeping with they personally felt.

This year, we are in such dire straits, that I plead — forget personalities, forget that I couldn't get you to vote for some bills before that were introduced by Councilmembers that you then voted for that came in prepared by the Law Department, and I've had

them prepared by the Law Department. Forget personalities. And I am asking that we don't have to wait for some point in some time that Michelle Madoff come in with a bill that asks for a review of the departments by outside efficiency experts that you, as the Chairman of the Finance Committee, forget personalities, forget attacking me, and say let us do that. That's number one.

And two -- would you, as the Finance Chairman, talk to the Administration about innovative ways of generating other forms of revenue, and I had certainly, and this is in the transcripts of the three budget votes, stated over and over again, we have virtually untapped sources of revenue. We can't even get 500 vacant lots posted because we don't have the money, yet we have \$60,000 in the trust fund where the money could be borrowed and more than that would be available to reimburse the fund. We have sale of city water, where we have memos going back and forth from Director Cosentino to Mr. Whitmer, three months apart. The memo says, well, what can we do about selling this water, and three months later he gets an answer saying, well, give me some more information and there has never been a concentrated effort by the Administration to explore additional sources of revenue within our own potential, and if you read this morning's paper, it says, the Reagan Administration is saying, go forth and be innovative in your own budget. In your own cities, in your own communities and I don't think Mr. Reagan and his Reagomatics are going to help us, so we have to help ourselves, and for you to attack me personally is really uncalled for, it is demeaning, it is disgraceful and it is unworthy of this Council, and I think that if you really care, address the issue rather than addressing me on a personal level by attacking me.

#### **The Chair:**

Okay, I hope that is the end of the personality clash, Mr. Givens.

#### **Mr. Givens:**

Yes, I would like to add some comments, I think that some of the recommendations that Councilman Stone has so indicated are adjustments within his particular committee. I would strongly, very much recommend, in thinking of the enormity of this particular budget and the fact that we have to raise almost \$49 million in new taxes, I have a very strong feeling, and I urge this Council that we should conduct public meetings in various areas of the City of Pittsburgh, in the evening time, to get direct input from the people out in their communities. The people of the City of Pittsburgh and our neighborhoods are the ones that are most affected. As we all know, many of them work and don't have the opportunity to come down here. Year after year I have sat here in this Council and I see the same people coming back and talking about our particular budget. I would like to go out into the community and see some people that have direct input, those that are paying the taxes and want to pay the taxes. I am not saying that we cannot raise this money, I'm saying I'd like to hear directly, only for my ears, and in a true form of this Council, in an official session within our different communities within the City of Pittsburgh where we can really hear exactly what these people are saying, and I don't think the people will come in all negative. I think there are some positive people out there that want Renaissance II to move forward, that want this city to move forward, and I feel that money makes money. If it takes \$49 million to keep this city moving in a positive direction, then I could say I could be for that. But the people of the City of Pittsburgh as

well as ourselves must make that final decision. I feel that we need this type of dialogue in order to get greater conscience of the people of the City of Pittsburgh.

Mr. President, I would like this not to die, as just a comment from Dick Givens. I would like that by next Monday's Executive Session, I will put a resolution before this Council so requesting that we have a certain amount of meetings within the City of Pittsburgh and what neighborhoods we would like to go into. I would like that to be proposed by the Chairman of Finance, if he feels that this would be a solution, maybe to not getting the same rhetoric year after year from certain individuals.

**The Chair:**

That's more like going into the Lion's Den.

**Michelle Madoff:**

Mr. President, I have today, sent a letter to our representatives in Harrisburg, Ivan Itkin and Senator Romanelli, which says:

"With gentrification taking place in many of our communities, it is imperative that legislation be introduced to protect senior citizens on fixed and limited incomes. This would prevent people from being forced out of their homes and communities that are being upgraded.

As you know, when a community is revitalized, assessments increase accordingly. This legislation would in no way affect tax revenue to the City because the present owners would pay taxes at their present assessed valuation. Only when the property is acquired by a new buyer, would the

assessment be increased to reflect the current market value of the neighborhood.

I hereby urge you to expedite similar legislation."

And I think that goes to the concern of Councilman Woods and many of us. We certainly want to improve communities, but we don't want to force people out of their homes and I think this kind of legislation is very much needed, and I wonder if other Councilmen would sign this letter with me? Would you be willing to do that Mr. Woods?

**Mr. Woods:**

Sure.

**Michelle Madoff:**

Mr. Flaherty do you agree? Mr. Givens? I'll send the letter around and see who would like to sign their name to it because I think it would be very meaningful.

**Mr. Woods** moved to approve the minutes of Monday, November 9, 1981.

**Mr. Stone** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Woods**

Council adjourned.





# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, NOVEMBER 23, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAE...Asst City Clerk

Pittsburgh, PA  
Monday, November 23 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

##### Mr. Flaherty presented

No. 4298 Resolution amending Resolution No. 1018, approved 10/5/81, effective 10/13/81, entitled, "Resolution providing for the sale by the City of

Pittsburgh and School District of Pittsburgh of Block 11-J, Lot 002 in the First Ward of the City of Pittsburgh to the Urban Redevelopment Authority of Pittsburgh for \$50,000.00", by including two additional recitals providing for nominal consideration.

Which was read and referred to the Committee on Lands and Buildings.

Mr. Flaherty moved to suspend Rule 8 providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

Mr. Givens seconded the motion.

Which motion prevailed.

Also,

No. 4299 Resolution providing for the leasing from Buncher Management Agency, Inc., a parcel of land containing approximately 479,800 sq. ft. or 11.07 acres, in the 6th Ward for a term of one year beginning January 1, 1982 at an annual rental of \$93,120.00 or \$7,760.00 per month chargeable to and payable from Code Account 1361, Miscellaneous Services, Department of Lands and Buildings.

Also,

No. 4300 Resolution authorizing and directing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City of

Pittsburgh, to lease to Crown Wrecking Company, Inc., a certain portion of the "Bell Farm" property situate in the 28th Ward.

Also,

No. 4301 Resolution repealing Item (G) of Res. No. 70, approved 7/29/80, for the sale of various properties in the 25th Ward to Oliver F. Kaufmann, Bruce J. Kaufmann and Martin R. Zundel for the sum of \$5,150.00. Resolution is to forfeit hand money of purchasers.

Also,

No. 4302 Resolution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

#### **Mr. Givens presented**

No. 4303 Resolution providing for the letting of a contract/s for the furnishing and delivery of 3 automobiles for use by the Bureau of Cable Communications, Department of Public Works; and providing for the payment of the cost thereof. Amount will not exceed \$30,000.00 and will be chargeable to and payable from Code Account 1661, Miscellaneous Services, Supplies, Equipment, Bureau of Cable Communications, Department of Public Works.

Also,

No. 4304 Resolution amending Resolution No. 903, approved 9/17/81, effective 9/22/81, entitled "Providing for

a Contract/s, or use of existing contracts for street lighting maintenance on various streets throughout the City of Pittsburgh; and providing for the payment of the cost thereof," by amending the title and by increasing the total allocation by \$400,000.00.

Which were read and referred to the Committee on Public Works.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

Also,

No. 4305 Resolution further amending Resolution No. 1229, approved 12/29/79, effective 1/1/80, as amended, entitled, "A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program", by redefining the funding sources.

Also,

No. 4306 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$26,842.67 for additional work in connection with Kennebec Street Sewer Reconstruction.

Which were read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 4307 Resolution transferring \$64,045.00 from C.A. 1798, Accounts

Payable Prior Years - Water Department, to C.A. 1700-1, Premium Pay (\$17,045.00) and to C.A. 1703, Utilities (\$47,000.00).

Which was read and referred to the Committee on Finance.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

No. 4308 Resolution authorizing the City of Pittsburgh, Pennsylvania to convey to the URA of Pittsburgh, Pennsylvania, the westerly 20' portion of a 50' easement, in the 12th Ward, located in the Water Works Mall Plan of Lots for the sum of \$1.00.

Which was read and referred to the Committee on Water.

**Michelle Madoff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

No. 4309 An Ordinance amending the Pittsburgh Code, Title Three, Water, Article V - Rates. Charges Uses, Chapter 333. Section 333.03, Ferrule Charge, by increasing the charge therein.

Which was read and referred to the Committee on Water.

**Mrs. Masloff** presented

No. 4310 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval for payment for the purchase of materials in connection with the sealing of expansive soil at Westwood Pool. The installation will be done by City forces. The cost of this work is approximately \$1,200.00 which this Department considers to be fair and reasonable.

Which was read and referred to the Committee on Parks and Recreation.

**Mrs. Masloff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

No. 4311 Resolution authorizing the issuance of a warrant in favor of Tedco Construction Corporation in the amount of \$25,017.84 in payment for work performed at Brookline Park Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 4312 Resolution authorizing the issuance of a warrant in favor of Tico Electric company in payment for work performed at Brookline Park and Pool, furnished for the benefit of the

city without previous authority of law; and providing for the payment thereof (in the amount of \$7,791.22 from P.C. 4-10-05-1338-80 (PR 80-07) Brookline Pool Construction).

Also,

No. 4313 Resolution authorizing the issuance of a warrant in favor of Palombo Landscaping, Inc., in the amount of \$2,800.00 in payment for work performed at South Side Park, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 4314 Resolution amending Resolution No. 1040, effective 10/29/81, entitled, "Authorizing the issuance of a warrant in favor of IKM-SGE in the amount of \$858.25 in payment for work performed at South Side Skating Rink, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 4315 Resolution transferring \$19,452.00 from P.C. 4-10-10-1575-67 (BF 199-376), Heth's Run Improvement Program, \$2,046.75 from P.C. 4-10-10-1575-76 (PR 76-07), Heth's Playground, and \$6,808.25 from P.C. 4-10-10-1496-77 (PR 77-20), Parks and Playgrounds New and Rehabilitated to P.C. 4-10-05-1338-80 (PR 80-07), Brookline Pool Construction in the DPR.

Which were severally read and referred to the Committee on Finance.

Also,

No. 4316 Resolution amending Resolution No. 255, effective 4/11/81, entitled, "Providing for the letting of a

contract/s or use of existing contracts for furnishing and placing of electrical lighting equipment for the installation of field lights at Langley High School Field, and providing for the payment of the cost thereof by reducing the amount provided by \$20,000.00."

Also,

No. 4317 Resolution providing for a lease from Mercy Hospital, for recreational purposes, of certain property in the 1st Ward designated at Block 11-J, Lot 3094, for a term of one year, and commencing 1/1/81, at an annual rental equal to the annual Property Taxes, and providing for the payment therefore, within 30 days of the date each year's tax liability is established. (From Code Account 1801).

Which were read and referred to the Committee on Parks and Recreation.

#### **Mr. Robinson presented**

No. 4318 Resolution authorizing the URA of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 7th, 13th, 21st and 25th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots 174-S-198, 22-D-135, 84-J-154, 22-B-261, 22-B-262, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4319 Resolution authorizing the URA of Pittsburgh to acquire that property in the 1st Ward of the City of Pittsburgh owned by Steeltown Corporation, a PA, Corporation and

designated as Block and Lot: 11-J-179 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4320 Resolution authorizing the URA of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by K. Simon and spouse, if married and designated as Block and Lot 11-E-293 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4321 Resolution authorizing the URA of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Leara Mathews, widow and designated as Block and Lot 11-E-294 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4322 Resolution authorizing the URA of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Mae Jones, Administratrix of the Estate of Thelma Grey, et al, and designated as Block and Lot 11-A-68 in the Deed Registry of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission

of the City of Pittsburgh.

Also,

No. 4323 Resolution authorizing the URA of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Virginia DiDonato and spouse, if any, and designated as Block and Lot 11-E-295 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4324 Resolution authorizing the URA of Pittsburgh to acquire that property in the 9th Ward of the City of Pittsburgh owned by Ignac Kowalski and Stanislaw Kowalski, his wife, and designated as Block and Lot 80-P-64 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4325 Resolution authorizing the URA of Pittsburgh to acquire that property in the 12th Ward of the City of Pittsburgh owned by James A. Witherspoon and Mary M. Witherspoon, his wife, and designated as Block and Lot 124-S-231 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4326 Resolution authorizing the URA of Pittsburgh to acquire that

property in the 12th Ward of the City of Pittsburgh owned by Lettie Johnson and husband, if married and designated as Block and Lot 173-E-311 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4327 Resolution authorizing the URA of Pittsburgh to acquire that property in the 12th Ward of the City of Pittsburgh owned by Georgianna Brown and husband, if married and designated as Block and Lot 125-C-75 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4328 Resolution authorizing the URA of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by Raymond A. Capone and Vivian I. Capone, his wife, and designated as Block and Lot 174-M-213 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4329 Resolution authorizing the URA of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by Westray Company, Inc., a PA Corporation and designated as Block and Lot 174-F-114 in the Deed Registry Office of Allegheny County,

under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4330 Resolution authorizing the URA of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by Ronald L. Charlton, etal and designated as Block and Lot 174-H-367 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4331 Resolution authorizing the URA of Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Sophia Sekula and husband, if married and designated as Block and Lot 30-E-277 in the Deed Registry Office of Allegheny County, under RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4332 Resolution authorizing the URA of the Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Edward J. Gillenberger and spouse, if any, and designated as Block and Lot 13-R-93 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4333 Resolution authorizing the URA of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Harriet Baldauf Kircher, etal and designated as Block & Lot 12-N-147 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4334 Resolution authorizing the URA of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Joseph G. Bennett, etal and designated as Block and Lot 12-K-283 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh.

Also,

No. 4335 Resolution authorizing the URA of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by; Walter R. Werkmeister and his wife, if any, and designated as Block & Lot 3-S-189 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4336 Resolution authorizing the URA of Pittsburgh to acquire that property in the 20th Ward of the City of Pittsburgh owned by Arthur Early and wife, if married, and designated as Block and Lot 20-G-21 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been

certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4337 Resolution authorizing the URA of Pittsburgh to acquire that property in the 20th Ward of the City of Pittsburgh owned by Peter Abartis, etal, and designated as Block and Lot 42-D-204 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4338 Resolution authorizing the URA of Pittsburgh to acquire the property in the 21st Ward of the City of Pittsburgh owned by Western Wrecking and Development Corporation and designated as Block and Lot 22-K-314 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4339 Resolution authorizing the URA of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by William J. Murray and Pettronilla Murray formerly husband and wife, now divorced and designated as Block and Lot 22-B-258 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4340 Resolution authorizing the URA of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Elizabeth McSorley, and designated as Block and Lot 22-B-259 in the Deed Registry Office of Allegheny County under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4341 Resolution authorizing the URA of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Isaac Fritz and Olivia Fritz, his wife, and designated as Block and Lot 22-B-260 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4342 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by George John Alexiades and Mike John Alexiades, with the joinder of their respective spouses, if married and designated as Block and Lot 23-G-157 in the Deed Registry Office of Allegheny County, under RLRF, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4343 Resolution authorizing the URA of Pittsburgh to acquire that

property in the 25th Ward of the City of Pittsburgh owned by Albert R. Pickens and wife, if married and Leola Ann Pickens and husband, if married and designated as Block and Lot 46-P-205 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4344 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Harold S. Zimmer and Mary W. Zimmer, with the joinder of their respective spouses, if married and designated as Block and Lot 46-N-68 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4345 Resolution authorizing the URA of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Jean Mulheizler and her husband, if married and designated as Block and Lot 23-B-224 in the Deed Registry Office of Allegheny County, under the RLRF, said property having been certified as blighted by the VPRC of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh.

Also,

No. 4346 Communication from Edward deLuca, Director, Department of City Development, requesting \$78.98 reimbursement for Pennsylvania Council for Urban Economic Development



meeting held on November 9, 1981, Harrisburg, PA.

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone presented**

No. 4347 Resolution transferring the sum of \$30,710.29 from Code Account 57, Social Security Fund to Code Account 53-1, Reserve Fund, Debt Service, Auditorium Authority and provide for the payment thereof.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

Also,

No. 4348 Resolution transferring the sum of \$5,000.00, between code accounts within the Department of City Controller, \$5,000.00 from C.A. 1048, Miscellaneous Services to Code Account No. 1049, Supplies.

Also,

No. 4349 Resolution transferring the sum of \$1,200,000 from C.A. 2, Sinking Fund (Bond and Note Maturities) to C.A. 44, Workmens' Compensation Fund.

Also,

No. 4350 Resolution providing for the issuance of a \$1,500.00 warrant in favor of Terminal Entry Systems, Inc., in settlement of claim for damage due to a backup of sewage water on September 28, 1980, charging same to Code Account No. 46, Judgments.

Also,

No. 4351 Resolution providing for the issuance of a \$16,261.67 warrant in favor of Kress Tire Company, Inc., c/o Daniel R. Gigler, Esquire, in full settlement of claim for damage; and providing for payment thereof, in full settlement of claim for property damage at 1028 East Ohio Street due to a watermain break on August 3, 1980, charging same to Code Account No. 46, Judgments.

Also,

No. 4352 Resolution authorizing issuance of a \$3,000.00 warrant to William & Dorothy Josephson for property damage due to water damage at 3879 Beechwood Boulevard charging same to Code Account No. 46, Judgments.

Also,

No. 4353 Resolution providing for the issuance of a \$1,600.00 warrant in favor of William E. Krodell for property damage due to a water main break on Peralta Street, charging same to Code Account No. 46, Judgments.

Also,

No. 4354 Resolution providing for the issuance of a \$2,500.00 warrant in favor of Fannie DeChancie for property damage by a City Refuse truck, at 118 Kearsarge Street, charging same to Code Account No. 46, Judgments.

Also,

No. 4355 Resolution providing for the issuance of a \$1,000.00 warrant in favor of Babcock Lumber Company in payment of claim for property in payment of claim for property damage at 2220 Palmer Street by a Department of Public Works vehicle on January 7, 1981, charging same to Code Account No. 46, Judgments.

Also,

No. 4356 Resolution designating banks and Lending Institutions to act as Depositories for the year 1982 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Also,

No. 4357 Resolution providing for an Agreement/s with Lana M. Byer for Stenographic Reporting services in connection with public hearing/s and providing for the payment of the cost thereof.

Also,

No. 4358 Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1982.

Also,

No. 4359 Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1982.

Also,

No. 4360 Resolution adopting the

1982 Capital Budget; allocating and setting aside amounts in connection therewith; creating Capital Funds; transferring Bond Funds to said Capital Funds.

Also,

No. 4361 An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article III, Organization, Chapter 121, Department of City Treasurer, and Article XI, Personnel, Chapter 193, Bonds and Insurance, Section 193.01, Bonds of Officers and Department Heads, by restructuring the Department of City Treasurer as the Department of Finance; substituting the title "Director of Finance" for "City Treasurer"; providing for a Deputy Director of Finance/City Treasurer; authorizing either the Director or Deputy Director/City Treasurer to sign checks; recognizing that the Deputy Director/City Treasurer shall also serve as Treasurer of the School District of Pittsburgh, and requiring both the Director of Finance and the Deputy Director/City Treasurer to give bond in the amount of \$200,000.00.

Also,

No. 4362 Communication from Richard S. Caliguiri, Mayor, Mayor's Office, requesting permission for George Whitmer to meet with legislature to discuss Mayor's legislative proposals, Harrisburg, PA, November 23, 1981, at cost not to exceed \$250.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 4363 Communication from Richard S. Caliguiri, Mayor, Mayor's Office, requesting permission for David Matter to meet with legislature to discuss Mayor's legislative proposals,

Harrisburg, PA, November 23, 1981, at cost not to exceed \$250.00, payable from Code Account 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 4364 Communication from Edward Walkowski, Manager, City Information Systems, requesting permission for Paul Kraull and John Good, to attend Honeywell computer system courses, McLean, VA, January 3-16, 1982, at cost not to exceed \$1,758.00, payable from Code Account 1043, Miscellaneous Services, City Information Systems.

Also,

No. 4365 Communication from Ronald Schmeiser, City Treasurer, submitting a report of deposits and market value of collateral security pledged by City Depositories to secure same as of October 30, 1981.

Which were severally read and referred to the Committee on Finance.

#### **The Chair presented**

No. 4366 An Ordinance amending the Pittsburgh Code, Title One - Administrative, by repealing Chapter 129, Department of City Development, Chapter 131, Department of Housing, and Chapter 177, City Development Commission.

Also,

No. 4367 Resolution providing for an Agreement/s with the URA of Pittsburgh for its assumption of the administration of programs formerly administered by the Departments of City Development and Housing.  
Which were read and referred to the

Committee on Finance.

#### **REPORTS OF COMMITTEES**

##### **Mr. Stone presented**

Bill No. 4368

Report of the Committee on Finance for November 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4218

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tico Electric Company in the amount of \$1,273.50 in payment for work performed at Broadhead-Fording Pool and Park, furnished for the benefit of the city without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4226

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of the International Business Machines Corporation, P.O. Box 3025, Pittsburgh, Pennsylvania 15230, in the amount of \$1,386.00, in payment for rental of equipment furnished for the benefit of the City and providing for the payment thereof."

Which was read.

Also,

Bill No. 4227

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Morse, Gantverg and Hodge, Suite 419, The Bigelow, Pittsburgh, Pennsylvania 15219, in the amount of \$672.20 in payment for transcription done by a stenographic reporter of Trial Boards without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4233

Resolution entitled, "Resolution providing for the issuance of a warrant to Helen Butch and Herman Butch, her husband, c/o Jerry B. Landis, Esquire, 300 Law & Finance Building, Pittsburgh, PA 15219, in the amount of \$6,000.00 in full settlement of a lawsuit wherein Plaintiffs claimed personal injuries and damages and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4234

Resolution entitled, "Resolution transferring \$2,538,010.59 from Special Trust Fund #2, Real Estate Refund Trust Fund, to General Fund, MNOC."

Which was read.

Also,

Bill No. 4235

Resolution entitled, "Resolution transferring \$15,369.00 from Code Account No. 57, Social Security Fund, Department of City Treasurer, to the following accounts: 55 Policemens' Relief and Pension Fund - \$9,969.00; 1063 Miscellaneous Services, Department of Treasurer - \$5,400.00. Total - \$15,369.00."

Which was read.

Also,

Bill No. 4236

Resolution entitled, "Resolution providing for an Agreement or Agreements with a consulting firm for professional services in connection with the Municipal Pension Fund and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4271

Resolution entitled, "Resolution transferring the aggregate sum of

\$3,200.00 within Code Accounts of the Department of Law."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Givens presented**

Bill No. 4369

Report of the Committee on Public Works for November 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4210

Resolution entitled, "Resolution vacating an Unnamed Way, 16.66' feet wide (150' feet east of Allen Street) between

Excelsior Street and Carnival Way in the 18th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4211

Resolution entitled, "Resolution vacating a portion of McKeever Avenue from a point 140 feet ± southwest of Katherine Street as vacated to a point 218.25 feet ± southwest of Katherine Street as vacated in the 26th Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4212

Resolution entitled, "Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Engineering Services in connection with Street Lighting Design; and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4213

Resolution entitled, "Resolution further amending Resolution No. 1430, approved December 29, 1980, effective January 1, 1981, as amended by Resolution No. 166, approved February 13, 1981, effective February 24, 1981, as amended by Resolution No. 539, approved June 1, 1981, effective June 10, 1981, as amended by Resolution No. 685, approved July 17, 1981, effective July 23, 1981, as amended by Resolution No. 755, approved July 29, 1981, effective August 10, 1981, as amended by

Resolution No. 886, approved August 24, 1981, effective August 31, 1981, as amended by Resolution No. 927, approved September 24, 1981, effective October 1, 1981, entitled, 'Adopting the 1981 Capital Budget and approving the 1981 through 1986 Capital Improvement Program,' by redefining the funding sources."

Which was read.

Also,

Bill No. 4214

Resolution entitled, "Resolution further amending Resolution No. 201, approved February 26, 1981, effective March 6, 1981, as amended by Resolution No. 644, approved July 8, 1981, effective July 13, 1981, entitled, 'Authorizing the City Treasurer, on behalf of the City of Pittsburgh, to accept funds from the Port Authority of Allegheny County, the Urban Redevelopment Authority and the Pennsylvania Department of Transportation, for Consulting Services in conjunction with Transportation Coordination for the Central Business District; providing for the creation of a Trust Fund for receipt and payment of the respective shares; and providing for an Agreement or Agreements with the above mentioned parties in connection with the Transportation Coordination of the Central Business District,' by authorizing a Supplemental Agreement and by increasing the project allocation by Twenty Thousand (\$20,000.00) Dollars."

Which was read.

Also,

Bill No. 4215

Resolution entitled, "Resolution further amending Exhibit I of Resolution No.

1350, effective January 1, 1978, as amended by Resolution No. 597, effective June 7, 1978, as amended by Resolution No. 977, effective November 3, 1978, as amended by Resolution No. 1532, effective December 31, 1978, as amended by Resolution No. 914, effective October 16, 1979, as amended by Resolution No. 191, effective March 31, 1980, as amended by Resolution No. 306, effective April 24, 1980, as amended by Resolution No. 515, effective June 11, 1980, entitled, 'A Resolution adopting the 1978 Capital Budget; allocating and setting aside funds in connection therewith; creating Capital Funds, transferring Bond Funds to said Capital Funds,' by redefining the funding sources."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 4370

Report of the Committee on Water for November 18, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4261

Resolution entitled, "Resolution further amending Resolution 1428, approved December 30, 1980, effective January 1, 1981, as amended, entitled, 'Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the fiscal year, beginning January 1, 1981,' by making additional appropriations in the Water Fund, \$180,000.00 to Code Account No. 1702, Municipal Obligation for Non-City Water Agencies; and \$200,000.00 to Code Account No. 1750, Chemicals."

Which was read.

**Michelle Madoff:**

I would like my comments to be brought forward from Wednesday's meeting with reference to the fact that the bulk rate users are not picking up and the general rates do not reflect the cost of the bond issues that are paid back solely by the City taxpayers. They do not reflect the cost of the water and something has to be done very rapidly about it, because the money going into the General Fund is a joke, we are using that money in a bond issue and then we are paying very, very high interest on that money, and the Sinking Funds later; it is quite astronomical.

**MICHELLE MADOFF'S REMARKS ON**

**BILL NO. 4261 FROM THE MEETING OF  
WEDNESDAY, NOVEMBER 18, 1981:**

**Michelle Madoff:**

Is it not true, Director, that we have never done a study to determine what the actual cost of paying back by the City taxpayers on the bond issues for repairing lines, to incorporate that in the cost of water; is that not true, that we have never done that?

**Mr. Cosentino:**

As far as I know, we haven't.

**Michelle Madoff:**

So we don't really know when we charge water to some of the people who live out in the suburban communities but come in and have businesses here, and the businesses get special rates because they buy bulk rates —

**Mr. Cosentino:**

No one has a bulk rate. No business has a bulk rate as such.

**Michelle Madoff:**

No, I'm talking about J & L, a large user gets a bulk lower rate than a residential user because of volume.

**Mr. Cosentino:**

Because of volume.

**Michelle Madoff:**

Because of volume. Its a bulk rate. Volume is bulk. The person who pays the deficit on the bond is the City taxpayer; is that not correct?

**Mr. Cosentino:**

That is correct.

**Michelle Madoff:**

Therefore, the money that is given to operate, as Mr. Stone said, whatever the figure was, from the General Fund to operate the Water Department, and you're giving us a "fair return", its not really a fair return, because we have not incorporated in that figure the cost of going out to repair the lines, that we're using capital dollars that have to be paid back at tremendous inflated dollars. Actually, you're paying it back with cheaper dollars, but, nevertheless, you borrow \$70,000,000 and you pay back \$207,000,000, we're paying back at a substantial cost for that service for buying that money. That has never been figured into the actual cost of the water, has it?

**Mr. Cosentino:**

To my knowledge, no.

**Michelle Madoff:**

That's the point I'm making. We don't give them money and, therefore, they're generating all this profit they're giving us back into the General Fund. Indeed, we're not getting our fair money back from the Water Department, the cost of the Water Department.

**THE CHAIR COMMENTS**

**Michelle Madoff:**

Have we paid that money back by now in the General Fund over and over again?

**THE CHAIR COMMENTS**

**Mr. Cosentino:**

My understanding is that since

1960 we have returned over \$60,000,000.

**Michelle Madoff:**

So since 1960 and prior to that, even if its an investment --

**THE CHAIR COMMENTS**

**Mr. Cosentino:**

They established a seven percent return or a figure below which the amount shouldn't be.

**Michelle Madoff:**

But that isn't even relevant. We're not a private industry. This is a City that has to operate on a budget. We have to generate money for the budget every year.

**THE CHAIR COMMENTS**

**Michelle Madoff:**

We have to generate money for the budget every year, and if, indeed, the cost of water, which is lower than most communities, doesn't reflect the cost of going out for the bond and repairing the lines, than that's wrong.

**END - MICHELLE MADOFF'S  
COMMENTS ON BILL NO. 4261 -  
11/18/81.**

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:



Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 4370

Report of the Committee on Parks and Recreation for November 18, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4219

Resolution entitled, "Resolution amending Resolution No. 73, effective February 9, 1981 entitled: 'Providing for a contract or contracts or the use of existing contracts for the installation of concrete work;' and providing for the payment of the cost thereof by reducing the funds provided."

Which was read.

Also,

Bill No. 4220

Resolution entitled, "Resolution providing for the taking of property in the 17th Ward of the City of Pittsburgh owned by D.C. Phillips, etal for Southside Riverfront Park and authorizing payment of just

compensation and necessary and incidental acquisition costs related thereto."

Which was read.

Also,

Bill No. 4221

Resolution entitled, "Resolution providing for the taking of property in the 17th Ward of the City of Pittsburgh owned by Iron City Sand Company for Southside Riverfront Park and authorizing payment of just compensation and necessary and incidental acquisition costs related thereto."

Which was read.

Also,

Bill No. 4222

Resolution entitled, "Resolution providing for the taking of property in the 16th Ward of the City of Pittsburgh owned by Ronacle Realty Company for Southside Riverfront Park and authorizing payment of just compensation and necessary and incidental acquisition costs related thereto."

Which was read.

Also,

Bill No. 4223

Resolution entitled, "Resolution providing for the taking of property in the 17th Ward of the City of Pittsburgh owned by Ormsby Land Company for Southside Riverfront Park and authorizing payment of just compensation and necessary and incidental acquisition costs related

thereto."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 4372

Report of the Committee on Public Safety for November 18, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4228

Resolution entitled, "Resolution providing for accepting a grant from the Sears-Roebuck Foundation in the amount of Three Thousand Four Hundred Ninety-Four Dollars (\$3,494.00) for operation of

'Officer Friendly Program' to be conducted by the Community Relations Section of the Department of Police; providing for the creation of Officer Friendly Program Trust Fund; and for the deposit of grant funds in a bank account."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**MOTIONS AND RESOLUTIONS**

**The Chair presented**

Bill No. 4373

Communication from Richard S. Caliguiri, Mayor, submitting the name of Daryl Smith as Director of Lands and Buildings.

Which was read, received and filed.

Also,

Bill No. 4374

Resolution approving the appointment of Daryl Smith of 5136 Rosecrest Drive, Pittsburgh, PA 15201, as Director of the Department of Lands and Buildings.

Which was read.

**Mr. Stone:**

Move to hold for two weeks and bring him in.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, clarification, isn't that what you asked about earlier? Whether we were voting on that today, or was that on another issue?

**The Chair:**

No, I was talking about that combined department of URA and Housing, headed by Mr. Brophy.

**Mr. Stone:**

No, we generally hold for two weeks and that's what we're doing.

**Michelle Madoff:**

May I ask a question? He is already working, why are we holding it for two weeks?

**Mr. O'Malley:**

What do you mean he's already working?

**The Chair:**

No, no. This is Lands and

Buildings.

**Michelle Madoff:**

Yeah, we've already met him.

**Mr. Flaherty:**

He's not working.

**The Chair:**

No, no, we just got his appointment today.

**Michelle Madoff:**

Do you want to bet?

**Mrs. Masloff:**

He's not on the payroll.

**Michelle Madoff:**

Well, I'm just wondering if we ought to waive Rule 8 and do it as soon as possible, because he is working.

**The Chair:**

The gentleman is not working, he is employed by Limbaugh on the North Side and I talked to him on the phone this morning. He was at Limbaugh.

**Michelle Madoff:**

Well I have already been working with him, he has already been here, I've already met him, he is already going through the building --

**The Chair:**

Well, he may have come in, but he's not on the payroll.

**Mr. Woods:**

Mr. President, if he is already working, I haven't voted on him and somebody is in deep trouble.

**The Chair:**

He's not on the payroll.

**Michelle Madoff:**

He may not be getting paid Mr. Woods, but I certainly think we need something done in that area quickly. Why are we holding it for two weeks? Why can't we expedite it?

**The Chair:**

It is the usual procedure.

**Mr. Stone:**

We do it on every new director and we are doing it on this.

**The Chair:**

You want to interview him, don't you?

**Michelle Madoff:**

No we don't do it on every new director, I even remember you moving to move somebody quickly because you've known them or they are good, and let's move it up quickly, you've even asked to vote on the same day, don't be so dogmatic.

**The Chair:**

Give us an opportunity to talk with the man, bring him in, Michelle.

**Michelle Madoff:**

I have no problem with that Mr. President, I'm just saying I resent the personal attack by saying we've already

done it and that's the way it is going to be and being very dogmatic, when indeed, the person who has made that recommendation has asked to vote on people on the very moment he suggested it, on the day it is brought up.

**Mr. Stone:**

The vote has already been cast, let's move on to the next item.

**Mr. Flaherty presented**

No. 4375 WHEREAS, the Mayor's 1982 budget proposal calls for the largest tax increase in Pittsburgh's history coupled with a \$10,000.00 salary increase for City Council members; and

WHEREAS, City Council's last salary increase provided an 11% annual increase not to mention the compound interest generated by the \$5,000 lump sum raise which escalated Council salaries into the top United States 10% per capita income bracket; and

WHEREAS, City Council annual salary increase was significantly higher than that of the average City employee; and

WHEREAS, Pittsburgh's City Council is the only municipal governing body of the United States 25 largest cities to have staggered Council salaries.

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh give leadership in this dire fiscal year, and be the first to sacrifice, by freezing its own salary of \$27,500.00 and that the City Solicitor researches the legal possibilities of providing equitable Council salaries for all Councilmembers; and

BE IT FURTHER RESOLVED that the non-uniform pay scale to my colleagues over the last two years be corrected. This injustice will be negotiated by a public arbitrator between the five Councilmembers who received \$27,500.00 a year and those Councilmembers who received \$22,500.00 a year. The difference will be satisfied on a pro rated basis.

Which was read.

**Mr. Flaherty** moved for adoption.

**Michelle Madoff** seconded the motion.

**Michelle Madoff:**

Discussion.

**Mr. Flaherty:**

Yes. Mr. President, I believe that for the most part, my resolution is self-explanatory, but there is also a very important reason why I would urge my colleagues to support it. It seems that every two years Council is crucified, and rightfully so, in the public's eye, because we are straddled within an anachronistic and very confusing, very complex and convoluted system of paying our members of Council. A survey was conducted, we are the only city of the major urban cities in the country that has staggered salary payments. We are not the only one that has staggered terms, but as far as salaries, we are.

But more importantly, I believe that every time the Council comes out with talk of a \$5,000 increase, a \$10,000 increase, we are just further eroding an ongoing gnawing of public credibility at City Hall and at City Council, which just isn't rampant in this City, but is certainly highly visible throughout the country. I believe that it is a vicious cycle that we are caught in because we

are talking now a \$10,000 raise, a raise up to \$41,000 and it will be the same routine in two years, and it is just not good politics, it is just not good government.

I believe that it is important that Council today take the first step and be willing to bite the bullet for a reform. I realize that this is a very complex issue and I realize that four of my colleagues have been receiving \$22,500 a year while myself and four other colleagues have been receiving \$27,500 a year.

And we must not forget Congressman Coyne, for example. This is just one example of the inequities of this system. Just because Congressman Coyne is no longer here, Councilman Coyne served on Council for a year at \$22,500; and in a rightful sense, he should probably be reimbursed because he is no longer here to get the pay raise.

**The Chair:**

He's getting \$60,000 a year now. My God.

**Mr. Flaherty:**

And then we have his very able successor, Councilman Woods coming on. And Ben has been on Council now for approximately a half-of-a-year. Ben is now receiving \$22,500, but if the Mayor's proposal holds up, he will receive a \$10,000 pay increase. And so there are certain inequities that are involved in this system.

I realize that under Article 310, Section 8 of the Home Rule Charter, it states that a member of Council cannot receive a pay increase during the term of office, nor can their salary be decreased during their term. That's why I have added the statement at the end that, in keeping with the spirit of the Charter,

and I feel that it is very restraining on this matter along with other ones, that the members of Council that have received \$27,500 for the last two years, volunteer to work out the inequities with those members that have been making \$22,500 a year. This would be a very sensitive stage of negotiations, because we are talking about bank interests, taxes, what have you. But this is the only manner that I am aware of, perhaps some of my colleagues have some other ideas, but I have thoroughly researched the issue and this is the only way that Council can get on the road of establishing equity in getting in times with what our other major cities have as far as Council salaries go.

I would hope that Council would vote that all members of Council receive \$27,500 a year and that we freeze our salaries at \$27,500 a year for two years. We are talking about the largest tax increase in the City's history, we are talking that we are seventh out of the 25 largest cities as far as what we are receiving as a salary. We are in the top ten percent in the income tax bracket and it is about time that we as leaders, who ask others, who ask all of the rest of the City to sacrifice, its about time that we set a precedent and be the first to sacrifice in regard to this issue.

If this is passed, subsequently I would move that Council put a question on the ballot to amend the Home Rule Charter that Council, if it so opts, would be able to receive annual salary increases as long as they did not exceed the average percentage increase of the average city worker. This last increase we received was 11.1%. Over the last four years the average city employee's average rate increase was 7-1/2 percent to about 8.3% percent. So, I don't see any reason, or the justification why we, who are at the top of the income bracket now, should be receiving larger increases

on a percentage basis and I'd be glad to answer any questions in regard to this resolution.

**Michelle Madoff:**

Mr. President, you know, a lot of things have been done with numbers. Councilman O'Malley and I were discussing it and his belief is that the increases, when you break them down, are only 4-1/2 percent a year, but it is true, it is very bad public relations and it destroys the confidence of the public when they hear of a \$10,000 raise. My own personal belief is that we should have a resolution, which I hope to introduce, and I've been discussing with Councilmembers, that all Councilmembers work full time. There are some feelings amongst Councilmembers that once we open up the Home Rule Charter --

**The Chair:**

Michelle, let's stay on the decrease.

**Michelle Madoff:**

This is the same issue Mr. President, it is on the same issue.

**The Chair:**

No, you're on a resolution --

**Michelle Madoff:**

You don't get raises unless you work full time. That's the point I'm making, if you'll give me the courtesy of finishing. The point that I am making is that several Councilmembers have pointed out to me, and rightfully so, that if we say full time, that means that anybody in the private sector could have a full time job and have another full time job, but Councilmembers would be

prohibited from doing that. Therefore, I would like to have the resolution say that Councilmembers would have their doors of their offices open a forty hour week, and I don't see why we would not support that.

Furthermore, you know I voted against the increase of salaries for department heads last year and I would like to see no cost of living to department heads; I would like to see the Mayor bite the bullet along with us, and show, by example, that he and his staff will not take, or his department heads, a cost of living increase because they got a massive increase last year. Particularly the department heads. We should set an example and so should the department heads and I certainly support Mr. Flaherty's contention on salaries.

Furthermore, one last point. In speaking with Mr. Stone, he may or may not remember, as he walked by one day after a hearing, we've had so much complaints and so many letters and volatile noises in the media, and contacting Councilmembers objecting, not only to the tax increase, but the raise, using Council as the example because that is something they can relate to, the public can relate to and focus on. And Mr. Stone made some comment, which I thought he was going to work on, I almost felt that it was very similar to what Mr. Flaherty has asked for today, and his statement was, we've got to do something to change the method in which Councilmembers get salaries. Is that correct Mr. Stone?

**Mr. Stone:**

I don't recall discussing this subject with you.

**Michelle Madoff:**

You said it in general.

**Mr. Stone:**

But it sounds like something I might say.

**Michelle Madoff:**

You said it in general. Yes. You said, we've got to do something about the way Councilmembers get raises and I thought perhaps that you had discussed it with Mr. Flaherty and this was the end result.

**Mr. Stone:**

No, I'd just like to reflect, I don't recall you talking to me about that subject.

**Michelle Madoff:**

It wasn't to me sir, it was a general statement.

**Mr. Stone:**

Okay. I like to be quoted accurately —

**Michelle Madoff:**

I wasn't quoted, I was asking sir. Because I am always polite and courteous and I am asking.

**Mr. Woods:**

Call the question.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Flaherty

**Mr. Givens:**

Mr. President, I would like to make one comment in making my vote, that using some of the figures that have been so depicted here, that as a Councilman of the City of Pittsburgh, if I were to be paid appropriately, what I started out with, six years ago, at \$20,000, and knowing that the inflationary period, during this six year period has been more than doubled, that the Council salaries, automatically, if we would have kept up with inflation, would be some \$40,000 this particular year, so even though that was an 11 percent increase, Tom, over the last couple years, it does still not reflect the total magnitude of what is happening out there in the real world.

Secondly, I can agree with much of what you have said here Tom, but I did not appreciate the Mayor's statement of the budget on what this Council should receive or should not receive, or any of the members of Council for that matter. I did not appreciate some of the Councilmen's remarks, not here today, but that have been previously put in the newspapers, etc. There is a proper place and a proper time for Council to discuss this particular issue. Not that we should not do it here today, but if we do, we are reversing what normally we do in Council, and that is figure out the total budget for the City of Pittsburgh, all departments, and the Council and Council's staff are the last people to be discussed. Historically, that has been the event. If we are going to change that, then I would think this resolution would be appropriate at this particular time, because that has not been historically the way we conduct business here, I would hope that this would be

held until such a time that this issue would come up.

Because of that reason, in trying not to deal with everything by resolution, on a Monday's Executive Session, I will vote no on this particular resolution.

**Mr. Woods:**

Point of order Mr. President, you had questions on the motion, everyone who wanted to say something said it, and no disrespect to my colleague Dick Givens, it is time to vote.

**The Chair:**

Yes, Mr. Givens was incorrect, the time to speak is under discussion, but --

**Mr. Flaherty:**

Oh, no.

**Mr. Woods:**

And right now we called for a vote.

**The Chair:**

Oh yes.

**Mr. Givens:**

I can explain my vote.

**Michelle Madoff:**

No, I'm sorry. Sir, you are allowed under Roberts' Rules to explain your vote Mr. Woods.

**The Chair:**

Allright. Call the vote.

**Michelle Madoff:**



I believe that I would like to go on record that when we go into the back room, we will all vote with Mr. Flaherty in any event and I think we ought to do it in the public and as Mr. Givens has just said, we have always done it another way and I think that other way was wrong and I think it should be done out in the sunshine, we have a nice sunshiny day today and let's vote with Mr. Flaherty and I certainly vote aye.

**The Chair:**

How do you anticipate which way we are going to vote?

**Michelle Madoff:**

I said I'm making a prediction.

**The Chair:**

You said we are all going to vote with Mr. Flaherty.

**Michelle Madoff:**

I'm predicting that when we get in the back room, nobody, because I have talked to members of this Council, are going to exceed that \$27,500 figure. Let's see if I'm right, I'm making a prediction.

**Mr. Givens:**

I think we have a conference room back there, I don't know about a back room.

**Mr. O'Malley:**

I'd just like to make one statement, first of all, I don't feel Mr. Flaherty's resolution says anything, in the first part he says we must sacrifice by freezing our salaries at \$27,500. Well anybody knows that under the Home Rule Charter that our salaries are already

frozen at \$27,500, they will be frozen that way for my term of office, and five members of this Council will be ineligible for a raise until 1983.

The second part, that we freeze all salaries at \$27,500, I think that is fine for Mr. Flaherty, but he has to remember that there are four members of this Council that have been receiving only \$22,500. So, if we would freeze all salaries at \$27,500, Mr. Flaherty would have a \$10,000 increase or edge over four members of this Council. So, I feel in that part Mr. Flaherty is looking out for himself and not looking out for his other colleagues.

The third part about this, the amendment on the Home Rule Charter, I agree with. Two weeks ago I made a statement that City Council should receive an eight percent raise, and I think I was chastised by the press at that point. I don't think Council should have to receive a \$5,000 or a \$10,000 increase, I think we should receive the same as the city workers. That point I agree with Mr. Flaherty on.

So, since I stated this, I don't think this resolution says anything, I am voting no.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**AYES:**

Mr. Flaherty  
Michelle Madoff:

NOES:

Mr. Givens  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES: 2                      NOES 7

And a majority of the votes of Council not being in the affirmative the bill was defeated.

**The Chair:**

To make it official, the resolution fails.

**Mr. O'Malley presented**

No. 4376 WHEREAS, Fairywood (former Broadhead-Fording) is in need of many services and programs; and

WHEREAS, the Fairywood Citizens Council, Incorporated was founded October, 1980 to deal with these conditions; and

WHEREAS, to date the Council has helped to found the first Senior Citizens Center, helped to design and inaugurate the newly constructed outdoor recreational facility, established on a voluntary basis, conceived a three year comprehensive development plan for this community, organized the Fairywood Community-Merchant Association, created a volunteer community security force and a police community relations board and have helped to eliminate residential hostility and racial violence; and

WHEREAS, presently the Council is working towards the institution of a fast food service and restaurant to

provide funds for future programs, serving as the developers for 19 newly constructed homes, attempting to establish a multi-purpose facility in cooperation with the Allegheny Valley School and structuring the first Youth Job Referral Agency in the area.

NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Pittsburgh recognizes and applauds the great work the Fairywood Citizens Council, Incorporated is doing; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh declares the week of December 6-12, 1981 as Fairywood Citizens Council week and urges all Pittsburgh residents to visit the neighborhood to see the accomplishments being made.

Which was read.

**Mr. O'Malley** moved for adoption.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

I want to make a comment if I may, since I didn't get a chance for discussion before the vote. I have a bill that is being drafted as we speak, on a grants person. Other cities already have grants people that work either on commission, or on a salary line item, wherein groups such as this that are so worthy, and do not have help --

**The Chair:**

Wait, I didn't catch you, a grants what?

**Michelle Madoff:**

A grants person, a person that goes out to the private sector to solicit grants from foundations and corporations. And this particular group is a typical example of not having the expertise of how to do it, where to do it and to get some help, and I think Mr. Stone has hit on this many, many times, that there are groups who really need this kind of help, and furthermore there are groups such as the library that have not explored every other source of funding, where you get some foundation money, but they could bet more, and I think the weight of the City, the full weight of the City's support would be very advantageous, and I mentioned that even though the resolution is forthcoming next week, only in keeping with the fact that this group has done such an outstanding job, I'm so glad Mr. O'Malley has prepared this resolution today, but I think we have to do more than just give rhetoric and a resolution, but really pitch in and help and I think that all of us are willing to do that.

**Mr. O'Malley:**

Thank you Michelle. I would like to present this to Mr. Love who is the President of Fairywood Citizens Council, and I think they exemplify what a community group is all about. They put a lot of time and a lot of effort in very unselfishly, to make their neighborhood and their community a better place to live and I'm sure they will continue to have the support of this Council. Mr. Love would you like to say a few words?

**Mr. Love:**

I would just like to say thank you to the Council. We have with us today, the Presidents of the other neighborhood groups in our community and people who have actually worked, the President of the Senior Citizens Center, and the Community Administration Office out

there and we only hope that with this resolution, that the Council can also see the need in our community for financial support towards our endeavors and hopefully somewhere down the line, the suggestion that was just made, as far as the grants person, will come about, because we get lost in the shuffle sometimes when there is not one person designated to concentrate on the efforts of volunteer groups such as ours. Again, thank you.

**The Chair:**

Thank you very much sir.

**Mr. Robinson presented**

No. 4377 WHEREAS, the City of Pittsburgh has been committed to the concept of providing equal employment opportunity to all segments of the Pittsburgh community; and

WHEREAS, that concept has been translated into a viable and substantive effort to increase the number of minorities and women in public employment and the upgrading and promotion of same where opportunities exist; and

WHEREAS, the City of Pittsburgh has adopted an Affirmative Action Plan consistent with the principles of equal employment opportunity and security the most qualified personnel to serve the citizens of the City; and

WHEREAS, the City of Pittsburgh will be facing significant fiscal situations which will necessitate the re-evaluation of personnel and service needs.

**NOW, THEREFORE**

**BE IT RESOLVED**, that the Council of the City of Pittsburgh on behalf of the citizens of the City request

that the audit report submitted to City Council by the Office of the City Controller, on the Department of Personnel and Civil Service be evaluated, and the recommendations implemented relative to affirmative action and the general improvement of our personnel selection process.

Which was read.

**Mr. Robinson** moved for adoption.

**Mr. O'Malley** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

I would like to amend this bill where it says both minorities and women and insert the word insert the word veterans.

**The Chair:**

Veterans?

**Mr. Robinson:**

I don't think that would be appropriate in this particular piece of legislation, but I certainly would be willing to support a separate resolution to that effect.

**The Chair:**

I think we have resolutions on the books now in regard to veterans, but your point is well taken.

**Michelle Madoff:**

Mr. President, this is exactly the resolution that I introduced in an umbrella form, and I just complimented Mr. Robinson privately, I think it is an excellent resolution. I think too often our reports are put out and we only look

at -- first of all, we don't read them, we don't have time, nobody -- we don't have enough help to go through them, and many of the recommendations are not implemented.

Now, the reason this particular one is being reviewed, and as Mr. Robinson will attest, I went to him one day and pointed that out, and he had already seen it, in the evaluation, the audit report, that indeed, we were very poor in implementing minority and women employment. But I think there is a lot more in that audit other than just this particular facet of equal opportunity and equal employment, and I would like to expand -- I presume you are calling for a post agenda or a hearing, Mr. Robinson, to review it?

**Mr. Robinson:**

No.

**Michelle Madoff:**

You're just saying you just want us to tell them to improve their record and how they are --

**Mr. Robinson:**

No, I think that the resolution very specifically indicates that there are some recommendations in that report, the most recent audit report, those recommendations ought to be implemented specifically as they relate to issues of affirmative action.

**Michelle Madoff:**

Okay, then what I am saying is I will vote for this, but I would like to also ask that we have a post agenda, since I was told by this esteemed Council, very vocally by Mr. Stone, that we would call for a post agenda on any audit report. I think not only the affirmative action

recommendations, but all the other recommendations ought to be discussed. So, if you like, we will do this separately and I will make that as a second motion.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, I would then like to ask that we have a post agenda with the auditor and his staff, and the Mayor's staff, whoever is the liaison between the Controller's Office to see why some of the recommendations have not been previously incorporated in their operation, if they are going to be, why they are not going to be, so this Council just doesn't have vague information as to what is going on and we want to know why we haven't had efficiency experts, at least I do, go through these departments. You'll schedule that Mr. Perry?

**Mr. Perry:**

Yes.

**Mr. Givens:**

Mr. President, I have three points here, maybe it should have been taken under old business or new business, I don't know. We all received a letter from the Mayor indicating the Constitution of the School Board Reapportionment Committee. Has that ever been dealt with within this Council?

**The Chair:**

I didn't receive a letter, I don't know what you're talking about.

**Mr. Givens:**

Mike, you had sent a letter to all

of us, apparently, I'm reading one from the Mayor wherein, "...because of the 1980 Census, this board must be constituted no later than December 31, 1981. The law requires that this commission consist of six members, two to be appointed by the Mayor of the City of Pittsburgh" —

**The Chair:**

I don't want to interrupt you, but the Clerk informs me that we don't set the boundary lines of court —

**Mr. Givens:**

No, no. I'm saying — but it is the commission that does it, and two of the members are supposed to be appointed by the Mayor, three from this City Council to be recommended, people to be recommended by this City Council, and one of Mt. Oliver, constituting the six members of this reapportionment board. This has not come before the Council, time is getting very short, I think names should be submitted to the President of Council, or names of people who are interested and wanting to serve on this particular reapportionment committee.

**The Chair:**

Do we have enough time to submit them next Monday, Mr. Clerk?

**Mr. Givens:**

And Mike, that we get two names from the Mayor also, so something gets moving. We've got a very short time, a suspense time of only 45 days from I assume, the deadline of December 31, 1981, to act on this particular reapportionment.

Number two, Mr. President, as I indicated last week, I just talked very

briefly to the Finance Chairman, that is Council's night time sessions. Bob said he is working on it, I would hope that he could address this Council by next Monday as to what he is going to do in this particular area, if not, then I would submit a resolution to the effect, and either vote it up or vote it down, as to how Council feels in this particular area. Personally, if it is voted down, I would think that I would like to go out in the various neighborhoods myself and do it. I would hope that everyone would enjoin me.

The third thing is Council's Committee on Cable TV. I have received notification of some resignations in this particular committee. Again, I know of one, I know of two more that are coming, and by the first of the year again, we will have about three vacancies on this particular committee and I would strongly urge that the President and other members of Council, or those citizens out there that are interested, and sitting on Council's Committee, get in touch with us so we can submit these names to you Mr. President.

#### **The Chair:**

Well, that is the prerogative of the Committee Chairperson, Mrs. Masloff, to present those names for the vacancies on the Cable TV Committee. Mr. Givens informs us that there are three vacancies and says that Council should take some action as to filling those vacancies.

#### **Mrs. Masloff:**

Yes, I know. They will be before the first of the year.

#### **Mr. Givens:**

I'm just bringing it up as a point of order that Council should be thinking

about submitting names and people should be submitting names to the Council so that we can bring that committee up to full stream.

#### **Mrs. Masloff:**

There are two vacancies at the moment, there will be a third one by the end of the year. The other three or four members are up for renewal. Their terms are up and they will be renewed. So actually, there will be only three vacancies before the first of the year.

#### **Mr. Givens:**

Yes, I'm just bringing it up as a point of order that I think we should start thinking about that, we are in budget deliberations, come the first of the year, we have reapportionment of the people — reconfirming their next term, and that the board is getting down to where people are not participating and we want to keep after that.

#### **Michelle Madoff:**

Mr. President, just a very quick point. I wonder if you could have the Clerk check with the Finance Chairman; I read in the real estate section that the City is to get a million dollars from transfer tax, or transfer in the sale of the Chatham Center so they can go condo. I wonder if this will effect this year's budget. One million dollars.

**Mr. Robinson** moved to approve the minutes of Monday, November 16, 1981.

**Mr. Flaherty** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Robinson**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, NOVEMBER 30, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President

MICHAEL PERRY .....City Clerk

WILLIAM F. McCRAY...Ass't City Clerk

Pittsburgh, PA

Monday, November 30, 1981

#### PRESENT:

Mr. Flaherty

Mr. Givens

Michelle Madoff

Mrs. Masloff

Mr. O'Malley

Mr. Robinson

Mr. Stone

Mr. Woods

Mr. DePasquale

(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

Mr. Flaherty presented

No. 4377 Resolution amending Resolution 289, effective March 26, 1981, which presently reads:

"Authorizing the sale of property in the 7th Ward, formerly 20th Ward, of the City of Pittsburgh to the Port Authority of Allegheny County for the sum of \$26,400.00, designated as Block 84-G, Lot 142" by changing a portion of Section 2, Item "C" making provisions for the filing of a Certificate of Acceptance by April 1, 1982.

Also,

No. 4378 Resolution authorizing the sale of property in the 13th Ward of the City of Pittsburgh, Pennsylvania, located on North Lang Avenue, being part of Block 125-S, Lot 150, to the Port Authority of Allegheny County, Pennsylvania, for the sum of \$2,200.00.

Also,

No. 4379 Communication from Paul Evers, Deputy Director, Department of Lands and Buildings, requesting interim approval of payment in the total aggregate sum of \$13,713.46 for extra work in connection with the construction of Arlington Fire Station #22.

Which were severally read and referred to the Committee on Lands and Buildings.

Mr. Givens presented

No. 4380 Resolution providing for the issuance of a warrant in favor of Houston - Starr Company in the amount of \$490.72 for the installation of a garage door at 2625 Liberty Avenue,

furnished without previous authority of law; and providing for the payment thereof. Funds are available in Code Account 1643, Miscellaneous Services, Traffic Control Division, Bureau of Operations.

Also,

No. 4381 Resolution providing for the issuance of a warrant in favor of Louis J. Viglione in the amount of \$48,626.05 in payment for "Extra Work" furnished for the benefit of the city in connection with sewer reconstruction at Nine Mile Run; and providing for the payment thereof. Funds are available in Code Account PW 80-26, 4-01-25-0755-80, Nine Mile Run.

Which were read and referred to the Committee on Finance.

Also,

No. 4382 Resolution accepting the dedication of Shelly Drive as shown and dedicated on the Shelly Plan of Lots in the 20th Ward of the City of Pittsburgh by William Housley, Jr. registered surveyor and developer, for A.A.A.C. Corporation, for public highway purposes, opening and naming the same, fixing the width and position of the roadway and establishing the grade, and accepting the grading, paving, curbing and sewerage thereof.

Also,

No. 4383 Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for their cost participation in the reconstruction of Warrington Avenue. Reimbursement shall be deposited in Code Account PW 81-12, 4-01-01-0130-81, Warrington Avenue - Boggs to Arlington.

Also,

No. 4384 Resolution further amending Resolution No. 523, approved 6/12/80, effective 6/18/80, as amended by Resolution No. 274, approved 3/19/81, effective 3/26/81 entitled, "Providing for an Agreement or Agreements with a Technical Services Consultant for Engineering Services in connection with an Electrical Services Contract; and providing for the payment of the cost thereof" by increasing the total allocation by \$7,500.00. Funds are available in Code Accounts PW 78-35, 4-01-10-0496-78 - \$3,500.00; Code Account 1661 - \$12,500.00. Total \$16,000.00.

Which were severally read and referred to the Committee on Public Works.

#### **Michelle Madoff presented**

No. 4385 Resolution transferring \$35,000.00 from Code Account No. 1796, Salaries and Wages, Regular Employees, to Code Account No. 1700, Salaries and Wages, Regular Employees (\$5,000.00) and Code Account No. 1795, Salaries and Wages, Regular Employees (\$30,000.00) Department of Water.

Which was read and referred to the Committee on Finance.

#### **Mrs. Masloff presented**

No. 4386 Resolution providing for the acceptance of Deeds of Dedication from Jones & Laughlin Steel Corporation, for public park purposes and other public purposes, of certain properties located in the 16th Ward of the City of Pittsburgh, and for the payment of proper closing costs and expenses in connection therewith.

Which was read and referred to the Committee on Parks and Recreation.



**Mrs. Masloff** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. O'Malley** presented

No. 4387 Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania, Commission on Crime and Delinquency for a grant in connection with Citizens-Police Partnership Against Crime Program (CPPACP).

Which was read and referred to the Committee on Public Safety.

**Mr. O'Malley** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 4388 Resolution providing for the issuance of warrants in the amount of \$140, to members of the Department of Police for partial financial replacement for items damaged while on duty, chargeable to and payable from Code Account No. 1455-6, Refunds for Uniforms, Department of Police.

Which was read and referred to the Committee on Finance.

**Mr. Robinson** presented

No. 4389 Resolution transferring the sum of Three Thousand One Hundred and Eight (\$3,108.00) Dollars from Code Account 1119, Miscellaneous Services, to Code Account 1120, Equipment, Board of Adjustment.

Also,

No. 4390 Resolution transferring \$1,000.00 from Code Account 1104, "Supplies"; and \$700.00 from Code Account 1106, "Equipment" into Code Account 1103 "Miscellaneous Services".

Which were read and referred to the Committee on Finance.

Also,

No. 4391 Resolution amending Resolution No. 732 of 1980, providing for Agreement/s with the Housing Authority for site assembly, construction and sale of a retail store in Allentown, increasing the amount by \$70,000 for a total amount not to exceed \$180,000 payable in amounts indicated from CDBG Trust Fund Accounts listed therein.

Also,

No. 4392 Resolution amending Section 11 of Resolution No. 1267 of 1977, so as to decrease line item PW 78-13, "Herron Ave. Bridge" from \$1,340,000 to \$1,326,720.66, and further, to increase line item PW 78-14 "Bridges, Emergency Repairs" from \$350,000 to \$354,766.03; and further to increase line item PW 78-29, "Sidewalk Ramps for the Handicapped" from \$100,000 to \$108,513.31.

Which were read and referred to the Committee on Planning, Housing and Development.

**Mr. Stone presented**

No. 4393 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 247 - Institution and Service Privilege Tax, Section 2 - Tax Levy and Rate, by changing the rate thereof.

Also,

No. 4394 An Ordinance supplementing the Pittsburgh Code, Title Two - Fiscal, Article VII, Business Related Taxes, by enacting Chapter 262, Home Rule Personal Property Tax.

Also,

No. 4395 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 245, Earned Income Tax, Section 2, Levy and Rate, by lowering the rate of tax.

Also,

No. 4396 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 261, Personal Property Tax, Section 2, Levy and Rate, by lowering the rate of tax.

Also,

No. 4397 An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Tax, Section 2, Levy and Rate, by lowering the rate of tax.

Also,

No. 4398 Resolution transferring the aggregate sum of \$2,219,500.00 from various code accounts to various other

code accounts in amounts indicated as listed therein.

Which were severally read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 4399 Communication from Richard S. Caliguiri, Mayor, requesting permission for George Whitmer to travel to Harrisburg, PA, December 14-19, 1981, in connection with legislative calendar, at a cost not to exceed \$525.00, payable from Code Account No. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 4400 Communication from Ronald Schmeiser, City Treasurer, requesting permission to attend Money Management Seminar, New York City, December 7-9, 1981 and requesting permission for himself and George Jacoby to visit bond rating agencies, New York City, December 10-11, 1981, at a cost not to exceed \$1,600.00, payable from Code Account No. 1063, Miscellaneous Services, Department of City Treasurer.

Which were read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 4401 Resolution providing for the issuance of a warrant in favor of American LaFrance in the amount of \$37,665.35 for emergency repair of fire equipment, payable from Code Account 1150, Outside Repairs, Department of Supplies, Bureau of Automotive Equipment. Interim approval granted by Council Bill 4239, dated November 18, 1981.

Which was read and referred to the Committee on Finance.

**Mr. Woods** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 4402 Communication from Lawrence Yatch, Director, Department of Supplies, requesting permission for James Barrett to attend Telecommunications Seminar, Philadelphia, PA, January 9-14, 1982, at a cost not to exceed \$1,100.00, payable from Code Account No. 1128, Miscellaneous Services, Department of Supplies.

Which was read and referred to the Committee on Supplies.

## REPORTS OF COMMITTEES

**Mr. Stone** presented

Bill No. 4403  
Report of the Committee on Finance for November 25, 1981 transmitting sundry

resolutions to Council.

Which was read, received and filed.

**Mr. Stone** moved the suspension of Rule 8 providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also, with an affirmative recommendation,

Bill No. 4256

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Sofis Company, Inc., in the amount of Eighty Nine Thousand (\$89,000.00) Dollars in payment for 'Extra Work' furnished for the benefit of the city in connection with the rehabilitation of the Murray Avenue Bridge over Beechwood Boulevard; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale

Mr. O'Malley

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 1257

Resolution entitled, "Resolution transferring the amount of \$125.00 from Code Account 1533-Repairs to Code Account 1544-Sewer Maintenance Contracts, both accounts within the Bureau of Engineering."

Which was read.

Also,

Bill No. 1284

Resolution entitled, "Resolution amending Resolution No. 107, approved February 6, 1981, effective February 17, 1981, entitled, 'Resolution providing for an Agreement or Agreements for specialized professional services in connection with conduct of negotiations and arbitration proceedings including labor relations advice, representation at negotiating meetings and economic and job evaluation advice, and related personnel matters; and providing for the payment of the cost thereof.' by increasing the authorized amount from \$10,000.00 to \$13,000.00 and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 1307

Resolution entitled, "Resolution transferring \$64,045.00 from Code

Account 1798, Accounts Payable Prior Years - Water Department to Code Account 1700-1, Premium Pay (\$17,045.00) and to Code Account 1703, Utilities (\$47,000.00)."

Which was read.

Also,

Bill No. 4347

Resolution entitled, "Resolution transferring the sum of \$30,710.29 from Code Account 57, Social Security Fund to Code Account 53-1, Reserve Fund, Debt Service, Auditorium Authority and providing for the payment thereof."

Which was read.

### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Givens

Michelle Madoff

Mrs. Masloff

Mr. O'Malley

Mr. Robinson

Mr. Stone

Mr. Woods

Mr. DePasquali

(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 4404

Report of the Committee on Public Works for November 25, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4258

Resolution entitled, "Resolution granting unto Anna Passaro, 1705 Forbes Avenue, First Ward of the City of Pittsburgh, her successors and assigns, the privilege and license to continue to maintain and use, at her own cost and expense, for the duration of the present structure, that portion of 1705 Forbes Avenue (front step and aluminum awning) encroaching in Forbes Avenue."

Which was read.

Also,

Bill No. 4259

Resolution entitled, "Resolution granting unto the Bigelow Apartments Pittsburgh, Pennsylvania, its successors and assigns, the privilege and license to construct, maintain and use, at its own cost and expense a planter box, to be constructed along the building, along Sixth Avenue and Center Avenue, in the Second Ward of the City of Pittsburgh. The encroachment shall begin on Sixth Avenue 74.8 feet northwest of the intersection of Center Avenue, point being 4.0 feet from the Bigelow Apartments Building, thence in a southwesterly direction 13.9 feet to a point, thence southeasterly direction a radius of 23.0 feet to a point, thence northeasterly direction 71.8 feet to a point, thence 2.0 feet north to a point being 4.0 feet from the Bigelow Apartment Building, thence

southwesterly direction 71.8 feet to a point on the intersection with Sixth Avenue, thence northwesterly 74.8 feet to the place of beginning."

Which was read.

Also,

Bill No. 4303

Resolution entitled, "Resolution providing for the letting of a contract or contracts for the furnishing and delivery of three (3) automobiles for use by the Bureau of Cable Communications, Department of Public Works; and providing for the payment of the cost thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 4303, may I ask Mr. Stone a question Mr. President? We discussed this morning, maintenance of automobiles, well, these are going to come out of "Warner Cable monies," who's going to maintain the automobiles? Who is going to do the repairs?

**Mr. Givens:**

The Bureau is.

**Michelle Madoff:**

Are we going to bill Warner for it?

**Mr. Givens:**

Michelle, I think you might have some concern that I have, and that is —

**Michelle Madoff:**

Can I get an answer to my

question please?

**Mr. Givens:**

Well, we are appropriating \$30,000 in this bill, however, that is \$10,000 an automobile. In doing so, that is the maximum amount of money that they can have. In talking to Director Yatch, who will go out and purchase these vehicles, we had discussed that last week and I can assure you, between Brother Richard, myself and Director Yatch, we will get the most economic vehicles possible that can do the job.

**Michelle Madoff:**

Allright, now can I get an answer to my question? Will the City be responsible for the maintenance of the vehicles out of our operating budget or our capital budget?

**Mr. Givens:**

To my knowledge, the Bureau of Cable Communications has their own budget items, including that of materials or supplies, I would assume --

**Michelle Madoff:**

Do they have repairs?

**Mr. Givens:**

The City will probably maintain them and take the funds of money from that particular account.

**Michelle Madoff:**

That's fine, but I want to be sure that it comes from that account. Mr. Stone, could you address that?

**Mr. Stone:**

That seems to me the way it

might logically be done --

**Michelle Madoff:**

Would somebody monitor that? Who would be responsible for monitoring that?

**Mr. Givens:**

Monitoring what?

**Michelle Madoff:**

To make sure that indeed the monies come from Warner. From the cable contract.

**Mr. Givens:**

That's an account that they have down there and its one that --

**Michelle Madoff:**

I just don't want the car going in to be repaired by the City and nobody knowing about it and not billing for it. How do we know that? Who's committee is that?

**Mr. Givens:**

Well, knowing Director Yatch, I'm sure that if he can squeeze a penny out of somebody, he's going to do it.

**Michelle Madoff:**

Okay.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 4405

Report of the Committee on Planning, Housing and Development for November 25, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with a **NEGATIVE**  
**RECOMMENDATION,**

Bill No. 4057

Resolution entitled, "Resolution providing for the designation of certain districts and structures as being of Historic and Landmark Significance under Section 3 of Ordinance 20, approved July 30, 1979."

Which was read.

**The Chair:**

We have a negative recommendation here on this historic designation in the North Side area. To vote for it, to be designated historically, you have to vote aye, to oppose it, you vote nay.

**Michelle Madoff:**

Mr. President, I thought that was to go back into committee, I misunderstood, is that not correct? Are we going to hold that or table it for a future time?

**The Chair:**

It was the chairman, it was his pleasure to vote it down.

**Mr. Robinson:**

No, I indicated that I would recommend that we vote it down at this time, but that the parties in the Allegheny West area meet again with the Historic Review Commission because I did not feel that any action taken by at us at this time, any positive action, would be in the best interests of the community and hopefully they could work something out and perhaps come back to us at a later time.

**Michelle Madoff:**

Then why don't we hold it and not vote on it because we don't have the votes either -- well, we have the votes to shoot it down, but they might be able to convince us that it is a good thing. Why don't we not -- why vote on it now, why not just hold it and table it?

**Mr. Robinson:**

Well, I think that the record will reflect that the Historical Review Commission has made several attempts to work something out and the people of good faith in the Allegheny West area also have tried to do that. I think simply taking this bill and holding it at this time is only going to heighten the tension. It is not going to bring any kind of resolution, and I think it is responsible for the Council to take an action at this time, and literally ask them to go back to square one.

**Michelle Madoff:**

Well, we've already killed it for this year if we vote on it.

**Mr. Robinson:**

Precisely. But our action, in no way, is going to be detrimental to the people who live in Allegheny West. They are already — that area is already designated by the National Registry as a Historic District, so some things are already going on in that area, and I think that the parties who are concerned, have some legitimate questions that evidently cannot be answered and I think the information that was presented to Council is such that it would be in our best interests and in the best interests of the City not to rush into it.

**Michelle Madoff:**

Well Bill, the only thing that I am concerned about is that you are really rushing into it by calling for a vote instead of tabling it.

**Mr. Robinson:**

One last comment. This is only the second community in our City that has been faced with historic designation. The process that one has to go through to have this neighborhood designated is a very complicated process, time consuming, and I think a very fair process. The people in Manchester felt that it was in their best interests to have their neighborhood so designated and we did that. They also were designated by the National Registry as a Historic District. It just seems to me that in order that we can maintain some credibility in the total process, we are better off to indicate that at this time we don't think that the Historic Review Commission's recommendation should be

approved, and ask everyone to go back to square one. I think asking people to wait, and put them in a holding pattern is just unfair.

**Michelle Madoff:**

With all due respect Mr. Robinson, and I don't mean this as a putdown, because you know that I know that you have supported the women's movement a thousand percent, but its like saying we don't need the ERA vote because after all, this legislation has already -- it gives women equal rights and everybody knows that isn't true, but nevertheless I've made my point, and I guess we vote.

**Mr. Flaherty:**

Point of clarification. It was raised here in Council I believe two weeks ago, are we going to change the precedent, can a member of Council, are they entitled to explain why they are either for a bill or opposed to it, or does that explanation have to come out when the bill is on the floor?

**The Chair:**

It is strictly voluntary, if they want to comment.

**Mr. Woods:**

Mr. President, I believe Tom is referring to last Monday.

**Mr. Flaherty:**

Right, I believe it was last Monday.

**Mr. Woods:**

We had made a vote and under discussion everyone said what they wanted to say and then Tom had already voted, Mr. Givens started explaining his



vote and when he was all done I called for a point of order and explained that under Robert's Rules of Order, once the roll call is called for and the first person has voted, you can no longer explain or discuss the issue. I think Tom is referring to precedent on Council, is that right?

**Mr. Flaherty:**

In other words are we going to follow Robert's Rules of Order, or are we to continue however you have handled it in the past?

**The Chair:**

You are right, it is in Robert's Rules of Order, also it is redundant, if it is under discussion then we have all the time in the world to discuss it, once roll call starts, that's it. There is no reason for further explanation, if you have your opportunity under discussion.

**Michelle Madoff:**

Courteously, may I have the floor Mr. Flaherty?

**Mr. Flaherty:**

Yes you may.

**Michelle Madoff:**

While it is true that Councilman Woods is correct, that in Robert's Rules it does indeed say that you have your discussion prior and not at the time of the vote, I checked with the Parliamentarian, and it seems that — and the issue for example, of who chairs a post agenda, the rules of what we have done prevail. If indeed, it has been the procedure, whoever holds the hearing, or calls for the post agenda will chair it, and if indeed it has been the rule of this Council long before Mr. Flaherty or

Michelle Madoff or Mr. O'Malley ever came to Council that when we got to a vote, people took the time because they thought of something someone else had said that affected their thinking, such as the President of Council, Mr. DePasquale, or Mr. Stone in particular, have felt that they wanted to add something, it has always been permissible to do that under the Rules of Council, and I think that the Rules of Council take precedent over Robert's Rules and I think that we would continue in that vein because if you don't, that means that nobody here can ever express an opinion if they think of something afterwards because of something that somebody else said that they may want to respond to.

**Mr. Flaherty:**

Yes.

**The Chair:**

Well, the issue that Mr. Woods referred to was discussed almost fully a half an hour and if they hadn't thought of it in a half an hour's time, I don't know when they were going to think about it, with all due respect to Mr. Givens.

**Michelle Madoff:**

Mr. President, Robert's Rules says that each member of Council has ten minutes to discuss an issue and to respond, and I don't think that we took ten minutes each to discuss it.

**The Chair:**

You mean you are limited to ten minutes?

**Michelle Madoff:**

I don't even think that Mr. Givens takes ten minutes, it just seems that

way.

**Mr. Flaherty:**

Mr. President, in regard to that clarification, then is it my understanding then, that when a roll call is in order a member of Council will not have the prerogative to explain their vote?

**Mr. Woods:**

No, once the first vote is cast, you can no longer debate or discuss the issue.

**The Chair:**

I would feel I agree with Michelle Madoff, if there is something so vital that it has to be added and they just didn't think of it in a certain period of time, I don't think anybody is going to try to stop them from saying it, I don't think they should, but if we would just try in the future, if we could limit the discussion, whatever the discussion, and then when we take roll, we take roll.

**Michelle Madoff:**

Then it is your decision to go according to the way we preceded in the past, I mean to try to just maintain it to a minimum.

**The Chair:**

Well, is there anybody here who says they haven't had the proper time under discussion to discuss the matter?

**Michelle Madoff:**

No, Mr. Woods is saying that he feels that we should not have —

**The Chair:**

Mr. Woods is saying once roll call

starts, that's it.

**Michelle Madoff:**

And you are saying no, you are saying once the roll call starts, if we feel we want to say something we can do it?

**The Chair:**

No, I'm just saying that under Robert's Rules of Parliamentary Law Mr. Woods is right, but I said if it is so vital and necessary to the legislation, if someone feels that they have something to add we will hear them out.

**Michelle Madoff:**

Because if not we will make our statements now.

**Mr. Woods:**

Mr. President, the only reason I brought that up is that sometimes we do get out of hand, all of us, and it is — you know, maybe we should get some semblance of order here and that is all I have said, is this the way it is supposed to be, are we going to conduct it this way, or the way we have done in the past and it was no reflection on anybody.

**Mr. Givens:**

Mr. President, if I could just add one comment to that, my remarks, as they were framed in last weeks, and it is one of the most unusual times that I have made some type of comment when I voted and I did that specifically to bring out two or three points that I didn't want to discuss. My whole purpose in doing what I did was I did not want the thing to be debated as such. I was stating just facts as to why I was voting the way I did, and so noted in there that there were good suggestions that were put in that resolution but I didn't think it was

the right place and the right time.

It is interesting to note that my comments could be read in less than one minute, but yet the ensuing battle went on for two or three pages.

**Mr. Woods:**

Call the vote Mr. President.

**Michelle Madoff:**

You can't call for the vote because there is discussion.

**Mr. Flaherty:**

Yes, and in keeping, I imagine with the new precedent, that the members will not explain their vote when it is cast --

**Michelle Madoff:**

No, that was not the President's decision, he said that if you feel you have to speak, you could.

**The Chair:**

No, the question specifically was, do they have to explain why they voted yes or no and I said no.

**Michelle Madoff:**

But you can if you wish.

**The Chair:**

Certainly, you can give an explanation, but you are not required to give an explanation as to why you vote yes or no.

**Michelle Madoff:**

Of course not.

**Mr. Flaherty:**

Okay.

**The Chair:**

Okay, no further discussion? The vote is called for.

**Michelle Madoff:**

On the one bill, is that correct Mr. President? On 4057.

**The Chair:**

You are voting only on 4057.

**Mr. Givens:**

Wait Mr. President, I'd better get my comments in before --

**Michelle Madoff:**

No, you are allowed to make them.

**Mr. Flaherty:**

He said it is important.

**Michelle Madoff:**

We are not adhering to Robert's Rules, we are adhering to the Rules of Council which is set by precedent.

**The Chair:**

Are you on 4057, Dick?

**Mr. Givens:**

Yes.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Mr. Flaherty:**

I feel that it is extremely important, and this is certainly a rare time where I feel compelled to explain my opposition to this specific bill. I have to take into consideration that this proposal unanimously passed in the City Planning Commission, the Historic Review Commission, and I am certainly aware of the time and effort that was put into trying to secure passage of the proposal by the Allegheny West Civic Council, along with numerous other community organizations, so I feel that it is only imperative that I explain why I am in opposition to the bill.

Essentially, I was disturbed because it seemed to me to echo the remarks of Councilman Robinson that the community seemed to be split in regard to the issue. I know just a few weeks ago we gave approval to the Manchester Community because it was unanimous — well, there was no opposition on the other hand, so as far as we were concerned, it was unanimous, but it seemed to be a pretty close call in the community of Allegheny West. I don't have a crystal ball, but I believe that if we were to go to historic designation, that this will cause the assessments and in turn, the taxes, to rise in that specific area. It seems to me that that community is in a state of transition between elderly people who have resided in Allegheny West for years and young professionals, who I am certainly glad to see returning to the City and helping our tax base.

But I believe that the impact would be greater on the elderly in that area if we were to give approval to this bill because I believe the assessments will rise. I don't think the impact would

be as great on the proponents of the bill if we would not give approval to making Allegheny West a historic site.

I also just had one other comment that I would want to make, I don't know if — well, I'm sure that probably a few of us saw the special last night on "60 Minutes" in regard to what was happening in a few of the communities in the City of Cincinnati and they seem to have the same problem that I feel that we have here in Pittsburgh, that when these communities are in the state of transflux, there is an uprooting of a certain constituency and I don't believe that we here in the City have a comprehensive policy, or program for low to moderate income housing. If we did, this would certainly cause me to give more consideration to affirmative approval for this bill, but I am very concerned about what would happen to the people in the area that are on an income that is hit the most through inflation.

Therefore, I unfortunately have to oppose this bill.

**Mr. Givens:**

Mr. President, I would like to echo both Councilman Flaherty and also Councilman Robinson on their points, I don't think I have to belabor the issue. I would suggest to the community out there, especially ones who would like to develop that particular area, that there are other avenues, other than historical, that one can do in order to assure that what development happens in their particular community can be done through zoning and can be done through other considerations of neighborhood organizations. For example, we will have before this Council, within the next thirty days, a neighborhood in the Bloomfield/Garfield area that wants to make certain restrictions on what

happens along the Penn Avenue Corridor. I think this could also be applied to the Allegheny West situation and I vote no for this particular bill.

**Michelle Madoff:**

I'm a little confused, I didn't think we were voting yet. It is a vote no to begin with. It is a negative vote isn't it?

**Mr. Flaherty:**

Yes.

**Michelle Madoff:**

So your voting no means you are voting yes.

**The Chair:**

Wait a minute, how did you vote Tom?

**Mr. Flaherty:**

No.

**The Chair:**

You voted no, he is against it. No to vote against it, yes to vote for it. They both voted no, they are against it.

**Michelle Madoff:**

Okay, I just wanted to be sure of that. Mr. Robinson has stated correctly that the area has already been designated as historical landmark under -- is it federal law Mr. Robinson?

**Mr. Robinson:**

Yes.

**Michelle Madoff:**

Therefore, the wheels of fortune

are already in the works, it is already going to happen whether -- and I certainly echo your sentiments Mr. Flaherty, that the hardest hit are going to be the people affected by gentrification, when the community is upgraded and it is reassessed.

As the Councilmembers know a letter went out to Representative Itkin and to Senator Romanelli, signed I believe, by every member of this Council, asking that legislation be enacted quickly so that those who are already living in an area do not have to pay any increased assessment even when the area has been re-appraised, or what is it -- reassessed. And obviously we need that kind of legislation, but my great fear, Councilman Flaherty, and other members of Council, is that it is already a designated area, and, again, as the analogy of ERA, we don't really need it but we need it and it would seem to me that the people who presented the arguments including Director Lurcott of Planning has stated that there will be help available. If we want to keep people in the City with a 100% increase on wage tax, and a 25% overall increase in taxes, you are going to have to make the neighborhoods attractive and livable. In order to do that, there are going to be some people who aren't going to have money and Director Lurcott in Planning has said that monies will be available. It is a small amount, I understand what you are saying, but it is enough so that those people could be, perhaps, maybe something could be done, and I think Mr. Robinson's point is well taken, maybe subsidies could be arranged for these people who are on fixed incomes so they will not be hit. Something has to give. But it is after the fact, and I think that if we are going to bring people back to the community, then indeed, we have to pass this bill and I am voting for it.

**Mrs. Masloff:**

No.

**Mr. O'Malley:**

No.

**Mr. Robinson:**

No.

**Mr. Stone:**

No.

**Mr. Woods:**

No.

**The Chair:**

One quick comment — I've been on Council ten years and this is the first time that a historic designation has been opposed. Most times it was brought up and just rode through, but there was considerable opposition and I was swayed by the opposition and I vote no.

**Michelle Madoff:**

Point of order, Mr. President, could I have the letter that we all signed put in the record, it is just a very small letter, for the record that was signed by all of us to the legislator.

**The Chair:**

Michelle, let us finish the vote, then we'll get to your letter.

**Michelle Madoff:**

I thought we were.

AYES 1                      NOES 8  
(MICHELLE MADOFF VOTING YES)

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**LETTER TO SENATOR ROMANELLI,  
INSERT REQUESTED BY MICHELLE  
MADOFF:**

November 16, 1981

Hon. James A. Romanelli  
State Senator  
1901 East Carson Street  
Pittsburgh, PA 15203

RE: Mr. Earl Gohl  
Administrative Assistant

Dear Senator Romanelli:

With gentrification taking place in many of our communities, it is imperative that legislation be introduced to protect senior citizens on fixed and limited incomes. This would prevent people from being forced out of their homes in communities that are being upgraded.

As you know, when a community is revitalized, assessments increase accordingly. This legislation would in no way affect tax revenue to the City, because the present owners would pay taxes at their present assessed valuation. Only when the property is acquired by a new buyer would the assessment be increased to reflect the current market value.

This problem is not only indigenous to Pittsburgh but is a problem that confronts homeowners throughout the state. I hereby urge you to expedite similar legislation.

The courtesy of a response is requested.

Sincerely,

Michelle Madoff  
Member of Council

MM:mmr

cc: Hon. Ivan Itkin

**END, LETTER INSERT**

Also, with an AFFIRMATIVE  
RECOMMENDATION,

Bill No. 3558

Resolution entitled, "Resolution authorizing execution of a contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Gumberg Associates-Chapel Square for the sale of Block 171F, Lot 50 in the Twelfth Ward of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4156

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 15 by changing from: 1. 'S' Special District to 'C4' Commercial District all that certain property being the ten lots of Phase I in the Water Works Plan of Lots as recorded in Plan Book Volume 120, Pages 124, 125 & 126; having 1,815.12 feet of frontage on the northerly side of Freeport Road adjacent to O'Hara Township; and 2. By changing from 'S' Special District to 'CP' Planned-Commercial Unit Development District all that certain property being the one lot of Phase II of the aforementioned Water Works Plan of Lots; having 1,062.85 feet of frontage on the northerly side of Freeport Road adjacent

to St. Margaret Memorial Hospital, 12th Ward."

Which was read.

**Michelle Madoff:**

On Bill No. 3558, I don't remember, in the history of the three-and-a-half years that I have been on this Council, that we have ever waived Rule 8 and voted practically the next day on a piece of legislation. We certainly need the \$2.7 million on the Gumberg --

**The Chair:**

Excuse me, you're taking both bills aren't you? 3558 and 4156. They are companion bills.

**Michelle Madoff:**

I'm sorry Mr. President, I didn't realize they were. But on that issue, I feel very strongly that we should have waited the two weeks to give the communities the time to go back and have the arteries, the main lines that were in the original proposal, guaranteed by Mr. Gumberg. I don't understand why this Council is moving so quickly, and while I would certainly vote for the \$2.7 million, and we certainly need that money, I am going to vote, when we get to the vote, I am going to abstain, I'm not going to vote against it because we need the money, but I will abstain on that vote simply because I do not understand why we could not wait two weeks to allow the proponents, who incidentally, have just circulated a letter which I think all members of Council have, and I think it should be entered into the record, I'm not going to read it, I think we've all read it, but essentially they are suggesting that that area be made into light industrial RIDC, which would certainly generate the same kind of taxes, or certainly similar taxes, and

would be an extension of what is needed in the area. If we want to go out and get our suburbanites to help support this City, and I think Councilman O'Malley said it succinctly today, maybe if they lost a half - six days week a year because we didn't clean up their snow, they would understand how important it is to support the City, but in this case, I think we are taking the fast-grab, we are also not even owning a piece of the action which other cities are doing, so they have monies to hedge against inflation. Other cities are owning parts of hotels, apartment houses, and are generating revenue, we are just giving this away for \$2.7 million and that sounds like a lot of money. Its going to generate \$700,000 in taxes and that also sounds like a lot of money, but there is going to be a lot of pay out. I hope our people who are here from the suburban communities will understand how important it is to support a larger head tax, to support the City, because if you take the City out of the County you don't have anything.

But nevertheless, my opposition is simply because, and I will abstain, my vote will be an abstention, there was not enough time given to put the main arteries in that were in the original plan, and I don't understand why we are railroading this bill through immediately and not waiting two weeks. I urge that we wait two weeks.

#### **The Chair:**

Well, first of all, you've given us some very good reasons why we should vote for it, secondly, it is not a railroad job, this has happened several times in my time on Council, as President and as a member of Council --

#### **Michelle Madoff:**

Would it matter in two weeks Mr. President?

#### **The Chair:**

It is not the first time and we are not breaking precedent.

#### **Michelle Madoff:**

I think we are breaking precedent on this kind of bill.

#### **Mr. Flaherty:**

Has anyone conducted a study as far as the impact it would have on the Stanfield Project, or have we heard from anyone --

#### **The Chair:**

Yes, that was all discussed at the hearing Tom. I don't know if you were there --

#### **Michelle Madoff:**

Yes, the people who own Stanfield bid on this so we can't use that as an argument.

#### **The Chair:**

That was gone into extensively at the hearing.

#### **Mr. Flaherty:**

But we haven't heard any opposition from the Stanfield Development?

#### **The Chair:**

No.

#### **Michelle Madoff:**

Hardly. He wanted it himself which was a surprise to me.



**The Chair:**

It was felt there was no impact --

**Mr. Givens:**

Stanfield also tried to bid on this particular one -- so --

**Michelle Madoff:**

I just said that.

**The Chair:**

If anything, the Stanfield Project is a good example of delay. This project we are trying to move -- the Stanfield Project has just been stagnant I think something like a year and a half now and they were pushing and pushing that and all of a sudden nothing has happened on that.

**Michelle Madoff:**

Mr. President, would it really make a difference if indeed we held up on this project until the builder decided to put in those roads that are necessary for that community?

**The Chair:**

I think it would, I think they are trying to get it through before the end of the year and get that money --

**Michelle Madoff:**

Why?

**The Chair:**

Well, for one thing, the money and the other thing is that they want to get the project moving.

**Michelle Madoff:**

Well why would two weeks make such a tremendous difference?

**The Chair:**

Michelle do you want to make a motion?

**Michelle Madoff:**

Yes, I made a motion to hold it for two weeks. Yes.

**The Chair:**

Allright, is there a second on Michelle's motion? There being no second the vote is called for.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Ayes:**

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

MICHELLE MADOFF ABSTAINING

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4262

Resolution entitled, "Resolution authorizing the Urban Redevelopment

Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the City owned property in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, being part of Lot No. 17 in Richard Cowan's Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 1, Page 110, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 4263

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the city owned property in the 19th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County, being part of Lot Nos. 20, 21, 22, 23, 24, and 25 in Richard Cowan's Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 1, Page 110, under the Residential Land Reseve Fund."

Which was read.

Also,

Bill No. 4264

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the City of Pittsburgh, County of Allegheny and School District of Pittsburgh owned property in the 19th Ward of the City of Pittsburgh, being part of Lot No. 18 in Richard Cowan's Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 1, Page 110, under the

Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 4265

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the City of Pittsburgh, County of Allegheny and School District of Pittsburgh owned property in the 19th Ward of the City of Pittsburgh, being part of Lot No. 19 in Richard Cowan's Plan of Lots as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 1, Page 110, under the Residential Land Reserve Fund."

Which was read.

Also,

Bill No. 4266

Resolution entitled, "Resolution authorizing the conveyance by the Urban Redevelopment Authority of Pittsburgh of part of Lots 17, 18, 19, 20, 21, 22, 23, 24, and 25 in the Richard Cowan's Plan of Lots, recorded in the Office of the Recorder of Deeds of Allegheny County in Plan Book Volume 1, Page 110, in the Nineteenth Ward of the City of Pittsburgh, to Pittsburgh & Lake Erie Railroad Company in exchange for a Deed of Dedication to the City of Pittsburgh from Pittsburgh & Lake Erie Railroad Company conveying its interests in property needed for South Side Riverfront Park."

Which was read.

Also,

Bill No. 4267

Resolution entitled, "Resolution authorizing a Third Amendatory Cooperatin Agreement for the North Shore Redevelopment Project providing for the conveyance of certain City-owned property to the Urban Redeveloment Authority of Pittsburgh and for certain changes in the financing of the project."

Which was read.

Also,

Bill No. 4268

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an application for financial assistance in the cumulative amount of \$7,305,317 to the Pennsylvania Department of Community Affairs for the North Shore Project."

Which was read.

Also,

Bill No. 4269

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ernest J. Sota for the sale of Parcels 209 and 268 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

Also,

Bill No. 4270

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Manchester Associates

for the sale of Parcel 48 in the Twenty-First Ward of the City of Pittsburgh in Redevelopment Area No. 27."

Which was read.

**The Chair:**

Is there any discussion on the bills?"

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 4406

Report of the Committee on Water for November 25, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4308

Resolution entitled, "Resolution authorizing the City of Pittsburgh, Pennsylvania, to convey to the Urban

Redevelopment Authority of Pittsburgh, Pennsylvania, the westerly 20' portion of a 50' easement, in the 12th Ward, located in the Water Works Mall Plan of Lots, for the sum of \$1.00."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

#### Mr. Flaherty presented

Bill No. 4407

Report of the Committee on Lands and Buildings for November 25, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4250  
Resolution entitled, "Resolution providing for a license to Duquesne Light

Company for the installation of one (1) pole, together with crossarms, cables and wires, one (1) anchor, guys and other necessary appurtenances on City property fronting on Noblestown Road, 28th Ward."

Which was read.

Also,

Bill No. 4251

Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) anchor and other necessary appurtenances on City property fronting on Noblestown Road, 28th Ward."

Which was read.

Also,

Bill No. 4252

Resolution entitled, "Resolution providing for a license to Duquesne Light Company for the installation of one (1) anchor and other necessary appurtenances on City property on Federal Street, 22nd Ward."

Which was read.

Also,

Bill No. 4253

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts in connection with Renovations Various Public Buildings and providing for the cost thereof."

Which was read.

Also,

Resolution entitled, "Resolution amending Resolution No. 1589 of 1978, the 1979 Capital Budget, by providing for an additional appropriation of \$20,000.00 for Project LB 79-11 (4-25-15-0001-79), Renovations Various Public Buildings, Department of Lands and Buildings."

Which was read.

Also,

Bill No. 4298

Resolution entitled, "Resolution amending Resolution No. 1018, approved October 5, 1981, effective October 13, 1981, entitled, 'Resolution providing for the sale by the City of Pittsburgh and School District of Pittsburgh of Block 11-J Lot 002 in the First Ward of the City of Pittsburgh to the Urban Redevelopment Authority of Pittsburgh for \$50,000.00,' by including two additional recitals and providing for a nominal consideration."

Which was read.

# **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## **MOTIONS AND RESOLUTIONS**

**Michelle Madoff presented**

No. 4408 WHEREAS the City of Pittsburgh is the 3rd largest corporate headquarters in the nation; and

WHEREAS, Mr. David M. Roderick speaking for the Allegheny Conference has publicly stated that, although charitable funding from corporations were up four (4%) percent last year, nevertheless contributions of all corporate support comes from only one (1%) percent of the nation's corporations, contribute to the arts, and only seven (7%) percent of the corporations nationally gave less than \$500.00; and

WHEREAS, Pittsburgh received far less in the arts, symphony, ballet, etc., than other major cities received such as New York; and

WHEREAS, many well deserving consumer and public service groups such as the libraries, ballet, symphony, museums have not explored the possibility of obtaining funds from the corporate and private sectors; and

WHEREAS, the smaller, less sophisticated groups such as handicapped, marching bands, veteran, little leagues, etc., do not have the expertise to solicit funds from the corporate and private sectors; and

WHEREAS, many other cities in the United States employ individuals to solicit funds for these purposes, thus

setting a precedent for other cities to follow.

#### NOW, THEREFORE

BE IT RESOLVED that the Council of the City of Pittsburgh hereby creates a position in the 1982 City Budget for an individual whose sole duty will be to solicit funds from the corporate and private sectors, and will be paid either a fixed salary or on a commission basis, thus exhausting every possible source of revenue for many deserving groups and services, including but not limited to those listed above.

Which was read.

#### Michelle Madoff:

There is a word missing in paragraph four which would imply that the libraries and the ballet and symphonies are not getting money from corporations -- it should say, "not fully explored", the word fully was left out, right after not, it fit right in there, and the only reason I mention those is that in other cities they are getting a far greater amount of money than the local ballet and library and museums, etc. But I think the issue really addresses itself more to the kind of people that Mr. Stone has repeatedly addressed himself to. As humanitarians this Council has repeatedly, and I guess the Administration as well, granted funds to marching bands and various groups that are indeed worthy and needy and we've had to turn a lot down this year that we would like to help. First of all, the monies that we do give, if they could be received in other methods, such as, number one, going to the grants and foundations, but two, under the '82 new tax law. Mr. Roderick informed us at the Allegheny Conference, he is urging all corporations to inform their employees that under the new law, if you

list your contributions there will be some additional write-offs and he will encourage them to be contributors.

If people, like the gentleman who was here the other day that Mr. O'Malley gave a presentation to, had some help, and he asked that we have a grants person and I think in other cities its called a grants person, and perhaps the line item should be grants person. He is pleading with us to give us some help. They don't have the expertise and I think Mr. Stone has said it more eloquently than anyone else, why are the same people coming back all the time and he has chastised various department heads for not having that kind of help given to them to support -- to help them in obtaining the expertise needed for a grants person. So essentially, all I am doing is presenting a resolution that we have a grants person which will pay for itself in the fact that we should certainly save that salary in contributions a year.

Michelle Madoff moved for adoption.

#### Mr. Flaherty:

I'll second it, but I'm opposed to it. I'll put it up for a vote.

#### The Chair:

Before we vote, we're specifically talking about a post being created to go out and solicit --

#### Michelle Madoff:

A grants person. Most cities have them, where that person does nothing more than help groups who need money, show them how to write proposals, help them solicit groups and help them get money. I've done it for causes that were very difficult and raised lots of money.

#### The Chair:

I won't dispute with you that they are getting a lot of funds or not --

**Michelle Madoff:**

That doesn't mean that we still wouldn't be giving money.

**The Chair:**

But I would presume that somebody in the Administration is now doing that type of work. Somebody is soliciting.

**Michelle Madoff:**

No. No we do not have a grants person. I asked in Parks and Recreation, for example, whether they have such a person and they said they had someone. I said is the person full time? They said no. I said do they do very much, they said no. I said would it help you if we had a grants person and she said yes.

**Mr. Flaherty:**

I commend Michelle on her idea, and from the surface it seems to be a good idea, but I believe we are getting on shaky ground if we establish a precedent for a grants person. To start off with I am not aware of the state having a grants person, nor any other municipal council, if I am wrong Michelle please correct me on that. But why I feel that it is a bad precedent, I don't think the government should be going asking corporations for funds, just like I don't think it would be a good idea to be going to unions and asking for funds --

**Michelle Madoff:**

Excuse me, I think you misunderstood.

**Mr. Flaherty:**

Wait, if I may continue -- or going to individuals, because then I think what it could possibly lead to is we would be in a position, if we are accountable, for example, say, that a steel corporation may give to the City, I'm just afraid that that might be able to be a wedge for example, when corporations are after a zoning change or for a tax abatement and I just feel that we are getting on very shaky ground and that is why I am opposed to it.

**Michelle Madoff:**

May I respond to that? We are not necessarily saying that that grants person would go out and hit up the companies for money, although I would be perfectly willing to do it as an individual. But that grants person would help prepare proposals, and guide the individual groups, like that gentleman who was here, what was the name of the group Mr. O'Malley? I have forgotten.

**Mr. O'Malley:**

Champion Basketball.

**Michelle Madoff:**

Basketball -- they need help like that. And we've had group after group. They don't know how to write a proposal or who to turn to, they need some help. Now this is done all the time in other cities and it helps our budget, our operating budget and there is a precedent set for it and I agree with you -- if we went to U. S. Steel and said help us out by giving thus and thus to the symphony and the opera and then we would maybe be influenced by the vote because they gave substantive dollars. The museum and the library, they are going to get their money, they essentially are the industries, they are the Allegheny Conference. I'm really more concerned with the little, small

groups that don't know where to turn, don't know how to write a proposal and giving them some aid, and that would save us money and also save us from turning down a lot of people who are certainly deserving.

**Mr. Givens:**

Mr. President, I have some comments on some of the statements, some of the 'Whereas' in the resolution. On the third one, I don't know about New York and the arts and symphonies, etc., but on the fourth Whereas —

**Michelle Madoff:**

I've checked it.

**Mr. Givens:**

...I can assure you that the Library of the City of Pittsburgh is in fact, is belonging to the City of Pittsburgh. The ballet. I don't know too much about, the symphony, but the museum, our museum is totally — I just came from a meeting there, I sit on the board, and there are some \$5 - \$6 million

**The Chair:**

In grants.

**Mr. Givens:**

...is given to our museum out there, Carnegie Institute —

**Michelle Madoff:**

That's why I said there is a word missing, "fully".

**Mr. Givens:**

...both museums, so that has not been explored, I would say, would be very

false and misleading. I think our corporate community contributes tremendously in our particular area. I think Mr. Roderick, in reading his statement, was saying 4% last year, never contributed, of all of the corporations supports, there might be a lot of companies in the City of Pittsburgh, but I don't know of any of them along with Gulf and Alcoa and U.S. Steel variety, and all of those have contributed God knows, many millions of dollars and not just once in each year, but they have funded through foundations and etc., much, much money, and the people who work with these companies and who own great stock in the companies and made a tremendous contribution.

Michelle, I don't think your idea is a bad one, however —

**Michelle Madoff:**

Would you like to take that one paragraph out?

**Mr. Givens:**

Well, its the way it is.

**Michelle Madoff:**

If you take the one paragraph out, would you vote for it?

**Mr. Givens:**

No, I'm just making a comment on it. The idea of having someone for people — the small people to go to and ask him how to get corporate money I think is worthwhile, but to fund him through city tax dollars I would be against, and how else can you set up a position without giving it some type of funding source?

**Mr. O'Malley:**



I also think this is an excellent idea Michelle, because I think —

**Michelle Madoff:**

But we're not going to vote for it?

**Mr. O'Malley:**

Wait, because I think there is an alternative. I think some of the groups need help and lack the expertise in approaching corporations for funds. Now I'm not sure its such a good idea to create a position, I think that maybe an already established department could assume that responsibility and could designate an employee to coordinate the efforts —

**Michelle Madoff:**

Then, in fact, you've done the same thing.

**Mr. O'Malley:**

...between the individuals and the corporation and I have discussed this with Mr. Robinson and I think I'd like Mr. Robinson to pick up on the second part of this.

**Michelle Madoff:**

May I just comment that if you do that, you've essentially done the same thing, you're paying someone to do it, so what's the difference? Take somebody already on the payroll or creating another job, its six of one and half a dozen of the other.

**Mr. O'Malley:**

I think we already have the machinery in place.

**Michelle Madoff:**

We've never done it.

**Mr. Robinson:**

Mr. President, for the benefit of Mrs. Madoff and others who perhaps don't remember some actions that we took earlier this year, we had an extensive discussion on the funding of a Community Technical Assistance Center. Both Mr. Stone and myself served on the commission for that center and its purpose is to help the kinds of groups and organizations that Mrs. Madoff has identified in her resolution. That is its sole purpose, to help these groups and organizations become more self-sufficient and to help them in seeking out funding sources which would include the City of Pittsburgh, but not exclusively the City and hopefully that kind of effort, which we had funded to the tune of about \$80,000 can be extended to become an office of our efforts and make sure that worthy community groups and organizations get the necessary funding for operation.

**Mr. O'Malley:**

This resolution Michelle, I think maybe we could hold it until we check in to see if the technical assistance —

**Michelle Madoff:**

Certainly. I don't want to push it, I just wanted to get it on the table for the point of discussion, and if you don't bring — we discussed it once before and everybody seemed to agree with it and I said I was going to introduce a resolution and everybody thought it was great, now, if you feel there is more discussion needed, the only reason I put in the museums and libraries, and people may forget that the library came here and told us that if they don't get any more money they are going to cut back the hours. Does everybody remember that?

And that they need to go to private sources to get some extra funds in order to run special programs for children, and while they do get a lot of money, you know, compared to what? Would you rather have one percent of what U.S. Steel makes a year or 50 percent of Jeep's salary? You know, percentages —

**Mr. O'Malley:**

Jeep's salary.

**Michelle Madoff:**

You know percentages really don't mean anything, and for the record, I've noticed that Mr. Stone has left the room, I hope he had a call from nature and it was urgent, because Mr. Stone is the one who prompted my writing this bill, because for years Mr. Stone has said to people over and over — maybe he's coming back — nope — that indeed, he has chastised department heads on the fact that they have not offered their expertise — I repeat, we have not, even though we have people assigned to do it, offered the expertise to the needy groups and he sees the same faces all the time who have that kind of know how. And I think we are making a bad mistake by being intimidated because I will tell you, so you will know Mr. Flaherty, that when I started GASP I started with a thousand dollar contribution from Gulf and that never stopped me from going after Gulf, and money doesn't care who owns it and in GASP, if I had money and if I had received money from U.S. Steel it would not have stopped me from going after U.S. Steel. I think we have some integrity in this Council and some moral beliefs, I'd like to think we do, and I don't think there is going to be anything wrong with our funding a line item person, because what you are saying essentially, is take someone who is already supposed to be doing it and have them do it, but unfortunately they haven't been doing

it. So what we are saying is have one person assigned to save the taxpayers dollars, if you want to restrict it to only small groups that's fine with me because that is the only ones who are going to use it anyway. And the reason Mr. Givens brought out that paragraph four and he is absolutely right, there was a word left out, I don't know if he heard it. The word was "fully" —

**Mr. Givens:**

I heard it.

**Michelle Madoff:**

Because I said that when the library says they are going to have to shut back hours. I know what that library meant to me growing up, I was poor and I lived at that library and I lived at that museum and that was my only source of — really, entertainment. And I would like, as a child — its not very precocious — and I would just like to point out that I think those are very vital entities and I don't want to see any time cut back in those programs and if a grants person can help I can't see how we can vote that down, I just can't believe we would do that.

**The Chair:**

Okay, we have a motion and a second —

**Michelle Madoff:**

We have a motion to hold

**The Chair:**

Mr. O'Malley discussed it and thought that maybe we should hold it, now you are the only one who has the right to withdraw that motion.

**Michelle Madoff:**

I would be willing to hold it, I would like to withdraw my motion and —

**The Chair:**

Withdraw your second Mr. Flaherty.

**Mr. Flaherty:**

I withdraw my second.

**Michelle Madoff:**

I move to hold for two weeks to look into — Mr. Robinson, will you undertake to look into the area that you said, and would you also help in re-drafting the bill if you think it can be worded in another manner that would be more in keeping with Mr. Flaherty's concern about our perhaps being co-opted by contributions from industries.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

Mr. President, on another subject which appeared in the Sunday paper in regards to the building and fire inspection of the City of Pittsburgh, and I think one has to comment and reflect back on some of the things that have happened within this Council wherein five years ago, as then Chairman of Public Safety, it was brought out that our building inspection was being cut back considerably. I have asked on many occasions, in fact every year, when the Fire Department would come up here and ask for various things, and I asked why could we not use the men that were in the fire stations to go out and conduct an annual fire inspection. Again, this was shot down. I could think of the City garage, and after many years that this Council has been on record stating about

the City garage, we are now finally, five or six years later, trying to bring that garage up to speed and thus saving many hundreds of thousands of dollars. I would say the same thing again, in this Building and Fire Inspection, that if — in fact, Building Inspection is going to go under Fire Inspection and the two of them are going to work together under the Department of Fire.

We have compensation problems within the City of Pittsburgh where people, up until 1970 and up until Pete Flaherty's reign within this mayorship, did we have light duty for both policemen and firemen and any other worker in the City of Pittsburgh. I would so request in our budget deliberations that we again consider these points of making inspectors, if not fully bonifide, to go out and look at some of the more gross things that we have within our communities, I think it would help this government considerably. And that this again be done — and if that had been done, four or five years ago, we would have not been reading what I read with distress in the local Sunday paper.

There is one other thing of very deep concern to me and it can be done privately or it can be done out here in Council, and that is in regards to the mailing by Councilpeople.

**Michelle Madoff:**

Do it openly, because I did it and I did nothing that I'm ashamed of.

**Mr. Givens:**

There was something that happened here Friday that I feel should be discussed Mr. President and I don't even know if you aware of it. But I asked the Chief Clerk that if he would hold certain mailings that were being taken from the City Clerk's office and

mailed and distributed throughout the City of Pittsburgh through the City Clerk's Office. In that mailing I had noted many people that were of a particular affiliation with a particular party in the City of Pittsburgh and I know that is against the Home Rule Charter. I need more explanation, I tried to get it Friday and did not do so. Mike, did those mailings go out or are you still holding them.

**Michelle Madoff:**

I hope they went.

**Mr. Perry:**

Most of them went out Michelle.

**Michelle Madoff:**

Mr. President, may I address that?

**Mr. Givens:**

Did the mailings go out, the ones that were in the box?

**Mr. Perry:**

There are a about a hundred that have to be mailed yet.

**Michelle Madoff:**

May I answer that. Mr. O'Malley

**Mr. Givens:**

Excuse me, I'm not finished with the floor. From the time that I asked you that you hold those and that we speak with the President of this Council, were any other mailings made?

**Mr. Perry:**

No.

**Mr. Givens:**

Thank you.

**Michelle Madoff:**

May I address it. I'm sorry that Councilman O'Malley and other members of Council are not here.

**Mr. O'Malley:**

I'm here.

**Michelle Madoff:**

I'm sorry. I feel, and as many members of Council feel, if I am writing a political letter saying I am running for office, and I have done these wonderful things, or I'm sending out a report on my activities for the past year, and I want you to know all the goodies I've done, I will pay for it and I will say so, pay for it by my own private funds. But when I do a critique of the budget, if I do a comment on salaries, which is Council business, then I feel I have the prerogative of contacting my constituency, which are the citizens groups that contact my office all of the time, and the leader, supposedly that Mr. Givens always refers to who are overlooked, being the leaders of the ward chairmen and the committee people, I think that is in proper keeping, because if that is not in proper keeping, then certainly we could get into some dirty laundry here, which I would choose not to do at this moment, that refer to mailings that were done that I can get depositions if we have to turn it over and do it in that way, that were done on the business of the three-pronged monster. The vote. There was a pro and con, it was Council business wasn't it Mr. O'Malley? Council voted and discussed it fully and there were two different positions, and the people who took

different positions had a right to let their constituency know their positions. That was Council business, that wasn't saying vote for me.

**The Chair:**

Michelle, with one exception, if I may.

**Michelle Madoff:**

Well I disagree with that.

**The Chair:**

With one exception, if you are sending out materials to an individual committeeperson, I think Mr. Givens is referring to, or two, that is something else. When you send it out in general to all of the committee people in the City of Pittsburgh, whether you say so or not, it strikes as political Michelle.

**Michelle Madoff:**

No, it was not on political --

**The Chair:**

Well, there was no reason to send something to the committee people of the City of Pittsburgh hoping they would support it.

**Michelle Madoff:**

Why not? Aren't they leaders in this community? Aren't they elected officials --

**The Chair:**

Mr. Givens is saying you shouldn't have done it at Council's expense.

**Michelle Madoff:**

Well other members of Council

have done it, first of all.

**The Chair:**

Well its got to stop. If the Councilpersons are going to write to all of the committee people and put stamps on here in Council and charge the City of Pittsburgh --

**Mr. Flaherty:**

I agree Mr. President.

**Michelle Madoff:**

Mr. President, may I go on record as saying that I will be happy, and as Mr. Perry knows, in other instances I have offered to pay for paper and I have offered to pay for postage and if there is a bill for this, I will be happy to pay it, but I was only following in the footsteps of other Councilmembers who felt that on Council business, the ward chairman, committee people and community groups, particularly community groups, should be kept informed. Now I repeat, I would like to be billed for that if I am out of keeping. And so I would like to see that next time that anybody runs and has a petition typed for running, they are not typed by the secretary in that room, and if you want a deposition on that, I'll get you that. And you know exactly what I am talking about Mr. DePasquale. And I would like to feel that if Mr. O'Malley had a position on a matter, I disagreed with his position, I supported Mr. Flaherty, but I think Mr. O'Malley had every right to contact people and state his position --

**Mr. Flaherty:**

No.

**Michelle Madoff:**

And that was a Council business, it was an issue that took place before

Council. I disagree with you.

**Mr. Flaherty:**

I do not agree with that, that was an issue that was on the ballot, that was an election, that was political issue, and I would be very surprised if any member of Council was using public funds to push either a pro and con on a question that was on the ballot and I don't agree with you at all on that Michelle, and I agree with out Council President, I think in the future there should be no mailing, no complete mailings to committee people. I think the vast majority of committee people would even resent that knowing that they are taxpayers and that their funds are being used to receive propaganda from incumbent Councilmembers.

**Michelle Madoff:**

If its propaganda.

**Mr. Flaherty:**

If you have anything to mail out to committee people, just to keep it clear, I think in the future we should use our own money.

**Mr. Givens:**

Mr. President, I thought I had set precedent. I used to send a quarterly report out to all of the committee people, some 900 people that ranged, costing me from \$400 to \$500, \$600 per mailing, and I had done that for a number of years. And I don't know if it was very beneficial or not.

**The Chair:**

No wonder you're broke.

**Michelle Madoff:**

That was on your personal activities.

**Mr. Givens:**

But it was beside the point, the Home Rule Charter says that no political activities can be conducted in the halls of government, and I don't want to chastise Michelle, I think we have a policy breakdown possibly, within our own Council, I brought it to the Chief Clerk, that no more of these letters go out, that the four or five that I just happened to look at, the majority of them were committee people.

**Michelle Madoff:**

They were not the majority, I sent to the ward chairmen —

**Mr. Givens:**

I said the four or five that I had looked at that were sitting right out front —

**The Chair:**

Wait for a while Michelle, he never identified you —

**Michelle Madoff:**

No, but I'm identifying me because I never hide or do anything that I feel is disreputable.

**Mr. Givens:**

And I have paid for all of mine, and I suggest if Michelle has the mailing list of those people that Michelle sent out to, if any of them are political office holders, be it committee, because that is an office of a particular party, that she pay for not only the mailing of it, but the materials and the reproduction also.

**Michelle Madoff:**

Mr. President, I would happy --

**The Chair:**

The Clerk has requested in the future to be very --

**Michelle Madoff:**

No, I don't think it is in the future, I think it is important that if that is the will of Council and I will tell you that I know for a fact that this Council staff has been used for political things, I did not consider that political. It was not, I am wonderful, I am great, this is what I've done for the last six months -- it said, "This is my evaluation of the budget, this is the information I sent to department heads, asking for" and I solicited their input, because I think they are part of government, and if that is felt to be improper, excluding the citizens groups --

**Mr. Givens:**

It is improper, the Home Rule Charter says its improper. Plus you used staff out there, and I would like to know all of the hours that staff had devoted into this. There is money there also.

**Michelle Madoff:**

My office did it. It was done out of my office for the most part.

**Mr. Givens:**

Heating, lighting, office space.

**Michelle Madoff:**

It was done out of my office. It was my staff.

**Mr. Givens:**

It was not done in your office, it was done right out here. In view of everyone.

**Michelle Madoff:**

There were some mailings done out here and I will tell you right now that Councilman O'Malley and other office people have done mailings for other people. If it is improper, I will pay my share.

**Mr. Givens:**

Well, maybe if I would have seen Jim O'Malley's that went out, I might have --

**Mr. O'Malley:**

Let me clarify something here, I think Michelle, everytime she gets her hand caught in the cookie jar she wants to pass cookies out to everybody else. I --

**Michelle Madoff:**

Mr. O'Malley, have you said to me in your office, you can't get any help, and your aide was sitting stuffing envelopes.

**Mr. O'Malley:**

Well that was my aide stuffing my envelopes. I never --

**Michelle Madoff:**

And since you said cookie jar and since you started it, did you or did you not use staff here for Mr. Wecht from the Democratic Party, to get mailings --

**Mr. O'Malley:**

No.

**The Chair:**

Now we're getting out of order --

**Mr. O'Malley:**

I don't think --

**Michelle Madoff:**

Mailings out of here on the three-pronged monster? Come on. If you want to talk about cookie jars, get your hands, feet and your tush out.

**Mr. O'Malley:**

I think to clarify on this --

**Michelle Madoff:**

I will be happy to pay anything that I feel I owe. And if I did something in error without knowing, never, because I can well afford it.

**The Chair:**

Pay cash Michelle, no checks.

**Michelle Madoff:**

My checks are good and I can well afford it.

**Mr. Givens:**

Michelle, I don't want to butt in on your business, but can you give a complete listing of those people, and so annoint those committee people?

**Michelle Madoff:**

Yes. No problem.

**Mr. Givens:**

Fine. That's all I'm asking. I mean, you know, I'd like to do it too.

**Mr. O'Malley:**

I think I agree with Mr. Flaherty on this Council by district and Council at-large. I mean I've spent funds, that we have raised privately. Any mailing that was done for Council at-large was either done by myself or by Richard Meritzer or other voluntary help, there was no --

**The Chair:**

Well, I can attest to that, it cost me \$100 to send some --

**Michelle Madoff:**

You say they were voluntary?

**Mr. O'Malley:**

Michelle, you'd better get depositions on that. I don't think Mr. Flaherty used any Council staff and I know that I didn't use any Council staff on that. I know that I do a yearly report that is --

**The Chair:**

The people over at Headquarters were paid for by you and I and other people.

**Mr. O'Malley:**

Like I said, anytime Michelle gets her hand caught in the cookie jar, she wants to pass the cookies out.

**The Chair:**

Two wrongs don't make a right.

**Mr. Woods** moved to approve the minutes of Monday, November 23, 1981.

**Mr. O'Malley** seconded the motion.



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Which motion prevailed.

And on motion of **Mr. Woods**

Council adjourned.



# Municipal Record

Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, DECEMBER 7, 1981

No.

## Municipal Record

### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAE**...Asst City Clerk

Pittsburgh, PA  
Monday, December 7, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Flaherty presented**

No. 44C9 Resolution amending Item (I) of Res 1119, approved 11/11/81, for sale of lots in 20th Wd. on Crosby Ave. & Boustead St., designated as Block

35-N. Lots 216, 221, 223 to Joseph E. & Anna J. Downie, his wife, for the sum of \$550.00. Amendment is to delete plan lot 10 from parcel 35-N-216.

Also,

No. 4410 Resolution providing for the filing of a petition/s for sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 4411 Resolution providing for issuance of warrants to D. Nicassio for \$188,267.67 and J-Jac Construction Co., for \$46,905.49, in payment for Emergency Work furnished for benefit of City in connection with reconstruction of Scott Way Sewer and providing for payment.

Which was read and referred to the Committee on Finance.

**Mr. Givens** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 4412 An Ordinance amending and supplementing the Pittsburgh Code, Title 6, Article 1, Chapter 601, Section 601.12 by amending subsection (a) to limit the size of containers to 32 gals. in capacity or to sealed plastic bags, etcetera.

Also,

No. 4413 Resolution further amending Resolution No. 1269, approved 11/3/78, as amended, entitled, "A Resolution providing for an Agreement/s with a Consultant/s for Professional Engineering Services in connection with the design for replacement of Bloomfield Bridge; and providing for payment of the costs thereof and providing for a reimbursement Agreement/s with Commonwealth of PA, Dept. of Transportation", by amending the project allocation.

Also,

No. 4414 Resolution providing for a contract/s or use of existing contracts, for concrete repairs to sidewalks, various locations; and providing for payment of cost thereof, not to exceed \$15,828.75.

Also,

No. 4415 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$15,115.32 to Dan Construction Company for additional work in connection with widening and repaving of North Side intersection - various locations.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 4416 Resolution providing for

issuance of a warrant to Allied Chemical Corporation, Pittsburgh, PA 15230, for \$568.34, chargeable to and payable from C.A. 1750, Chemicals, Department of Water, for additional charges for Alum during the months of April and May, 1980.

Which was read and referred to the Committee on Finance.

Also,

No. 4417 Communication from Richard Cosentino, Director, Department of Water, requesting interim approval of payment of \$275 for repair of gas chromatographer at water treatment plant.

Also,

No. 4418 Communication from Richard Cosentino, Director, Department of Water, requesting interim approval of payment of \$1,000 for purchase of materials for construction of rest room at Aspinwall Pumping Station.

Which were read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 4418-1/2 Resolution authorizing issuance of a warrant to Sargent Electric Company for \$26,393.21 in payment for work performed at Point State Park Summer Stage, furnished for the benefit of the City without previous authority of law and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 4419 Resolution providing for

the taking of property in the 17th Ward of the City of Pittsburgh owned by Ormsby Land Company for Southside Riverfront Park and authorizing payment of Just Compensation and necessary and incidental acquisition costs related thereto.

Also,

No. 4420 Resolution providing for a lease/s and/or License Agreements for use of facilities at 200 Tabor Street in the amount not to exceed \$8,400.00, chargeable to and payable from the Department of Parks and Recreation's Code Account 1801, Miscellaneous Services, to provide Community Recreation for the Esplen Area.

Also,

No. 4421 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,152.97 for telegrams in connection with bidding for Highland Park Zoo - Phase II.

Also,

No. 4422 Communication from Louise R. Brown, Director, Department of Parks and Recreation requesting interim approval of payment of \$10,000.00 for work and materials in connection with the renovation of Leslie Recreation Center in order to permit funding by Area Agency on Aging as Senior Citizen Center in 1982.

Which were severally read and referred to the Committee on Parks and Recreation.

**Mr. O'Malley presented**

No. 4423 Communication from Robert J. Coll, Jr., Superintendent,

Department of Police, requesting interim approval of payment of \$900.00 for movement of Mastor-Matio Filing System from Treasurer's Office to the Department of Police.

Which was read and referred to the Committee on Public Safety.

**Mr. O'Malley** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

Also,

No. 4424 Communication from Glen Cannon, Director, Department of Emergency Medical Services, requesting permission to attend Disaster Management Conference, Orlando, Fla., January 24-28, 1982, at a cost not to exceed \$975.00, payable from C.A. No. 1421, Miscellaneous Services, Department of Emergency Medical Services.

Which was read and referred to the Committee on Public Safety.

**Mr. Robinson presented**

No. 4425 Resolution transferring \$221,522.57 from CDBIS (Community Development Building Inspection 4-15-10-0006-80-15-80-15 and \$54,966.97 from CDBIS 4-15-10-0006-81-15-81-15 to the General Fund for the purpose of reimbursement of salaries, wages and fringe benefits paid to employees in support of the City's Community Development Block Grant Program.

Also,

No. 4426 Resolution authorizing the transfer of One Hundred Sixty-Nine Thousand Seven Hundred Dollars and Forty-One Cents (\$169,700.41) from the 1980 Community Development Block Grant Program Trust Fund, Code Account CDHDS (HD-80-12) Project No. 4-15-10-0003-80-8-80-15 to General Funds, City of Pittsburgh, for reimbursement of Salaries, Wages and Fringe Benefits paid to employees in support of the City's Community Development Block Grant Program.

Which was read and referred to the Committee on Finance.

Also,

No. 4427 Resolution amending Resolution 969, approved 12-28-81, "Providing for an agreement/s with Greater Pittsburgh Business Development Corporation for services in connection with Small and Minority Revolving Fund Program," by increasing the authorized amount from \$820,000 to \$855,000, payable in amounts indicated from amounts listed therein.

Also,

No. 4428 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of 524 N. Taylor, Block and Lot 23-J-209, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 4429 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of 1218 Resaca Place, Block & Lot 23-K-85, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 4430 Resolution providing for Issuance of a Certificate of Appropriateness for work on exterior of 1214 Monterey Block and Lot 23-J-270, in the Mexican War Streets Historic District in the 22nd Ward.

Also,

No. 4431 Resolution providing for the Issuance of a Certificate of Appropriateness for work on exterior of 22 Graeme, Block and Lot 1-D-126, in the Market Square Historic District in the 1st Ward.

Also,

No. 4432 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of 25 and 26 Market Place, Block and Lot 1-D-130, in the Market Square Historic District in the 1st Ward.

Which were severally read and referred to the Committee on Planning, Housing & Development.

#### **Mr. Stone presented**

No. 4433 Resolution providing for the issuance of a warrant in favor of NBI in the aggregate amount of \$16,928.18 for the purchase of word processing equipment for the Office of the City Clerk, without previous authority of law, and providing for the payment of the cost thereof.

Also,

No. 4434 Resolution transferring the sum of \$10,000 from C.A. 57, Social Security Fund, to C.A. 30, Refunds - All Other Taxes.

Also,

No. 4435 Resolution transferring the sum of \$20,000.00 from Social Security Fund to C.A. No. 44-1, Unemployment Compensation Fund.

Which were severally read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bill only until or after the 9th calendar day following the meeting in which the bill was introduced so the bill will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

Also,

No. 4436 Resolution providing for the issuance of a warrant to County of Allegheny in the aggregate amount of \$1,632.80 for printing costs for ballots and notices for newspaper publication relative to the City of Pittsburgh Special Elections held on May 19, 1981, and November 3, 1981, without previous authority of law and providing for the payment thereof.

Also,

No. 4437 Resolution providing for the issuance of a warrant to Air & Power Co., in the amount of \$975.00 for repair parts and service to the EDPAC unit; and providing for the payment thereof.

Also,

No. 4438 Resolution providing for an Agreement/s for consulting services to assist the City of Pittsburgh in acquiring Federal assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof, not to

exceed \$40,000.00, payable from C.A. 1017, Miscellaneous Services, Mayor's Office.

Also,

No. 4439 Resolution providing for an Agreement/s with various agencies for the implementation of the Comprehensive Employment and Training Act, Title IV, Subpart A, and providing for the payment of the costs thereof, at an aggregate cost not to exceed \$750,000, payable from CETA T-3, Trust Fund, Federal Funds.

Also,

No. 4440 Communication from Richard S. Caliguiri, Mayor, requesting permission for David Matter, to travel to Harrisburg, PA, in connection with the Legislative Calendar, December 14-15, 1981, at a cost not to exceed \$250.00, payable from C.A. No. 1017, Miscellaneous Services, Mayor's Office.

Which were severally read and referred to the Committee on Finance.

## UNFINISHED BUSINESS

### The Chair presented

Bill No. 4374

A Resolution entitled, "Resolution approving the appointment by the Mayor of Daryl Smith of 5136 Rosecrest Drive, Pittsburgh, PA 15201, as the Director of the Department of Lands and Buildings."

Which was read.

**Mr. Stone** moved for approval.

**Mrs. Masloff** seconded the motion.  
**The Chair:**

Is there any discussion on the appointment?

And on the question, "Shall the appointment be approved?"

The ayes and noes were taken agreeably to law, and were:

**Mr. Flaherty:**

I will vote aye and I wish to have my remarks from the Committee meeting included in the Municipal Record in regard to this appointment.

**MR. FLAHERTY'S REMARKS FROM THE MEETING OF WEDNESDAY, DECEMBER 2, 1981 ON THE APPOINTMENT OF DARYL SMITH:**

**Mr. Flaherty:**

As Chairman of the Lands and Building Committee, I just want to say that I feel that the appointee has excellent credentials; especially as far as his extensive experience with contracts and also the work that you had with complex construction projects, but I was curious if you could tell us from your own personal perspective as to how you were selected for this position. Who interviewed you; who first contacted you? Could you give us an insight into inner working.

**MR. STONE COMMENTS**

**Mr. Flaherty:**

I think it is very important for the reason that —

**MR. STONE COMMENTS**

**Mr. Flaherty:**

I agree with you, we don't have the power of appointment.

**MR. STONE COMMENTS**

**Mr. Flaherty:**

As Chairman of the Lands and Buildings —

**MR. STONE COMMENTS**

**Mr. Flaherty:**

The reason why I want to go into that area is that there has been a lot of criticism from certain people who work within the Department of Lands and Buildings that this Administration has not given consideration to promotion from within. And I believe that that has been consistent in the Water Department, Planning, the Treasurer, the Housing Department, and I am sure that everyone on this Council has heard from City employees that have been extremely upset because they feel that they have not been given a proper consideration. So, I feel that it is very important seeing that the City employees are primarily the ones that make this City go. I believe it is important that this Council address this question, because I know my office has received quite a few inquiries and I am interested in the perspective from you Daryl and also from someone from the Mayor's Office.

**MR. STONE COMMENTS**

**Mr. Flaherty:**

No, I said he has excellent credentials. I feel that he would be very good for the job, but I am interested in how he was selected and what was the breaking point for selecting him as the appointee in comparison to other people.

**MR. DEPASQUALE COMMENTS**



**Mr. Flaherty:**

I just asked him what his experience is, who contacted him, who interviewed him; I am interested in the hiring process.

**MR. STONE COMMENTS**

**Mr. Smith:**

I got a call from Dave Matter, and he asked me if I would be interested in coming up and talking about the position.

**MR. STONE COMMENTS**

**Mr. Smith:**

Yes.

**MR. STONE COMMENTS**

**Mr. Smith:**

Well, I assumed that at that point in time, it was an interview for that particular position and further on down the line, I met with the Mayor relative to that position.

**END - MR. FLAHERTY'S COMMENTS  
FROM THE MEETING OF 12/2/81.**

**Mr. Givens:**

Mr. President, I would like the opportunity to pass at this time and vote at the end of the actual balloting.

**The Chair:**

That is sort of unusual, may I ask why?

**Mr. Givens:**

Well.

**Michelle Madoff:**

No. And I would like, for the record, that the only reason I am voting no is that I do not, after speaking to the gentleman, believe that he will immediately implement the ordinance that passed this Council three years ago to sell City properties, and that is an untapped source of revenue which could have brought us some funds to alleviate many, even smaller problems, such as the one going on right as we speak, downstairs, right now, people have been told their homes are going to be taken away if they haven't paid their sewage or their taxes or what have you. There is no one even to answer a telephone, there are no typists, there is nobody at the counter.

If indeed, some people in this Council believe it wouldn't create a lot of funds, it would create some funds. I believe it would create a great deal of money, and the expert in the field, Mr. Valaw, the tax lien officer, also believes that.

My reason for voting no is that Mr. Evers was not really considered and it has a very demoralizing impact on a department when you work 17 years and you are just passed over. I think that is immoral, I think its wrong, I think the man is qualified and I vote no.

**The Chair:**

I don't want to belabor the point, but those people who clogged up the Treasurer's Office the past few days are people who have ignored their taxes; water taxes, school taxes and real estate taxes. I see no bearing at all on whether we approve of Mr. Smith today or we don't.

**Michelle Madoff:**

It has a bearing Mr. President, only in that there is nobody there right

now, we have nobody to pay, we have no funds presumably —

**The Chair:**

Why don't you limit your remarks to that Michelle, you are going into why those people are down there backed up —

**Michelle Madoff:**

Mr. President, if we had money coming in from the sale of properties, we would have money to pay the people who should be down there that are not down there right now. To even answer a phone when some senior citizen who is panicked, who gets a note, doesn't have anybody to turn to and says, "My goodness, they are taking my house", and nobody is there to answer the phone. I stood there for twenty minutes. The phones are ringing, nobody is answering the phone. I talked to a gentleman who already had a heart attack and he said, "I'm going to have another one", there is nobody there to help him. There were thirty thousand notices sent out and we are not taking every cent of revenue or looking after every cent of revenue we have?

**Mr. Stone:**

Call the question, we're voting now, let's vote on the man or not.

**Mrs. Masloff:**

Yes.

**Mr. O'Malley:**

Yes.

**Mr. Robinson:**

Yes.

**Mr. Stone:**

Yes.

**Mr. Woods:**

Mr. President, I was originally going to vote no because I really, firmly believe that we should try to promote within the ranks, especially since the man who presently has the job has done a fine job, but I also understand that all directors work for the Mayor and he does have his prerogative to pick who he chooses. Therefore I vote yes.

**The Chair:**

Well, I want to go on record as saying that no doubt Paul Evers is a much closer friend of mine than anyone here, we go back 30 years and I took into consideration the fact that he was passed over, but apparently the Mayor had no intention of appointing Mr. Evers, and I think the choice he made was an excellent one, so I'll vote aye.

**Mr. Givens:**

Mr. President, it was a rarity and I appreciate the opportunity that you have given me to hold my vote, but this particular is one that has given me great concern as I'm sure it has other people on this Council. I know that the morale of the people in this particular department is greatly affected. I think it signifies something within the City of what happens to a person who works very diligently and hard for any organization, be it this City government, any company, or any factory within this country of ours and yet for some reason is passed over or passed by. I don't think Paul Evers has the qualifications, has so demonstrated it and for that reason and that reason only, I vote no on this particular ballot.

AYES 7                      NOES 2  
(MICHELLE MADOFF AND MR. GIVENS  
VOTING NO)

And a majority of the votes of Council being in the affirmative, the appointment was approved.

## REPORTS OF COMMITTEES

### Mr. Stone presented

Bill No. 4441

Report of the Committee on Finance for December 2, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

**Mr. Stone** moved the suspension of Rule II providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council after the return of such papers from Committee.

**Mr. O'Malley** seconded the motion.

### Michelle Madoff:

Are we talking about the standard bills? I want clarification on what I'm voting on. Is this all of the standard bills that we have to review every year? On water rates?

### Mr. Perry:

These are the file copies Michelle, that I have to mail out, I didn't get a chance to —

### Michelle Madoff:

No I understand that, this is the pro forma that we do every year.

### Mr. Stone:

Things we cover that you have to give notice on.

### Michelle Madoff:

Right. That's okay, I just wanted to know what it is.

Which motion prevailed.

Also, with an affirmative recommendation,

Bill No. 4311

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedco Construction Corporation in the amount of \$25,017.84 in payment for work performed at Brookline Park and Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4312

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tico Electric Company in the amount of \$7,791.22 in payment for work performed at Brookline Park and Pool, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4313

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Palombo Landscaping, Inc., in the amount of \$2,800.00 in payment for work performed at South Side Park, furnished for the benefit of the city without previous authority of law; and

providing for the payment thereof."

Which was read.

Also,

Bill No. 4314

Resolution entitled, "Resolution amending Resolution No. 1040, effective October 29, 1981, entitled, 'Authorizing the issuance of a warrant in favor of IKM-SGE in the amount of \$858.25 in payment for work performed at South Side Skating Rink, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof', by correcting the project number."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4315

Resolution entitled, "Resolution transferring \$19,452.00 from Project Code 4-10-10-1575-67 (BF 199-376), Heth's Run Improvement Program, \$2,046.75 from Project Code 4-10-10-1575-76 (PR 76-07), Heth's Playground, and \$6,808.25 from Project Code 4-10-10-1496-77 (PR 77-20), Parks and Playgrounds New and Rehabilitated, to Project Code 4-10-05-1338-80 (PR 80-07), Brookline Pool Construction in the Department of Parks and Recreation."

Which was read.

Also,

Bill No. 4348

Resolution entitled, "Resolution transferring the sum of \$5,000.00 between code accounts within the Department of City Controller."

Which was read.

Also,

Bill No. 4349

Resolution entitled, "Resolution transferring the sum of \$1,200,000 from Code Account 2, Sinking Fund (Bond and Note Maturities) to Code Account 44, Workmens' Compensation Fund."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4350

Resolution entitled, "Resolution providing for the issuance of a \$1,500.00 warrant in favor of Terminal Entry Systems, Inc., in settlement of claim for damage."

Which was read.

Also,

Bill No. 4351

Resolution entitled, "Resolution providing for the issuance of a \$16,261.67 warrant in favor of Kress Tire Company, Inc., c/o Daniel R. Gigler, Esquire, in full settlement of claim for damage; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4352

Resolution entitled, "Resolution authorizing issuance of a \$3,000.00 warrant to William S. & Dorothy M. Josephson in settlement of claim for damage."

Which was read.

Also,

Bill No. 4353

Resolution entitled, "Resolution providing for the issuance of a \$1,600.00 warrant in favor of William E. Krodol in payment of claim for damage."

Which was read.

Also,

Bill No. 4354

Resolution entitled, "Resolution providing for the issuance of a \$2,500.00 warrant in favor of Fannie DeChancie in settlement of claim for damage."

Which was read.

Also,

Bill No. 4355

Resolution entitled, "Resolution providing for the issuance of a \$1,000.00 warrant in favor of Babcock Lumber Company in payment of claim for damage."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff

Mr. Robinson  
Mr. Stone  
Mr. Woods

Mrs. Masloff  
Mr. O'Malley

Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4356

Resolution entitled, "Resolution designating Banks and Lending Institutions to act as Depositories for the year 1982 in accordance with the Pittsburgh Code, Title Two Fiscal, Article III, Depositories."

Which was read.

Also,

Bill No. 4357

Resolution entitled, "Resolution providing for an Agreement or Agreements with Lana M. Byer for stenographic reporting services in connection with public hearing or hearings and providing for the payment of the cost thereof."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens

Mr. Robinson  
Mr. Stone

Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4398

Resolution entitled, "Resolution transferring the aggregate sum of Two Million Two Hundred Nineteen Thousand Five Hundred Dollars (\$2,219,500.00) from various Code Accounts to various other Code Accounts."

Which was read.

#### Mr. Stone:

If the Members of Council will go to Bill 4398 and just follow me, I will change the figures for you on some of these amendments to make it easy. Do you have the Bill 4398? Allright, if you go to page two, the first one on page two, 1061, instead of \$2,500, it is \$1,500. Page three, fourth from the bottom, 1366, instead of \$38,000, it is \$37,000. The next page, three from the bottom, 1810, instead of \$30,000 it is \$29,000. The next page, on top, the first one, 1827, it will change from \$4,000 to \$3,000. The last one, number one, will change from \$366,000 to \$437,000. The figure underneath, the grant total, will be changed by \$67,000, to what you have, it will come out to \$2,286,500.00. Skip the next page, jump over two, at the top of the page it has 1443, that figure will change from \$1,225,000.00 to \$1,250,000.00 On the top of the page, 1443. Underneath that you will put a new one in, 1443-1, right underneath that, and then over to the right,

\$42,000. Let me stay with this page. On the top of the page it is 1443, the new figure on the first column, from the last column on the right on top, will be \$1,250,000.00, it is up \$25,000. Then you are inserting before the Department of Fire, but under the Department of Police, 1443-1 for \$42,000. On the bottom of the page, the grand total will be equal to what we had previously, \$2,286,500.00.

I move for approval of those amendments.

**Michelle Madoff:**

Discussion. Why are the amendments being made? What happened, I was late on Wednesday, was something discussed?

**The Chair:**

First of all, we have an amendment, is there a second?

**Mr. Robinson** seconded the motion.

**Mr. Stone:**

These amendments are part of that big transfer which we talked about at our Wednesday meeting and it also includes some last minute changes at the request of the Administration after our budget people told them they were wrong, then they finally found out two of them are wrong. So it is straightening it out now, hopefully.

**Michelle Madoff:**

Is it just sort of housekeeping Mr. Stone?

**Mr. Stone:**

Housekeeping.

**Mr. Givens:**

I'm sorry but I was not here on Wednesday, or I got in late, and this bill had already been discussed. I'm seeing a tremendous amount of transferring into bills, some \$2,219,000.00 — have to appreciate it is the end of the year and they might need this in order to function and operate. However, I have been on record throughout this year and others in regards to this bill and others of transferring sums of money from one account to another account and I —

**Mr. Stone:**

Some of the funds are going to be depleted in those areas if we don't move it over. That is why it was done this way, they have to make some changes and I've asked him instead of nickel and diming us with one at a time to do a lump sum to save the aggravation for everybody and that is why it was done this way.

**Mr. Givens:**

Well, I appreciate that but you know we come up with a budget each year and I have to appreciate that sometimes you get caught a little bit short, but here we are transferring along with other transfers that have happened already this year and if you add up all of those transfers, I'd almost have to say that about 15% or 20% of our budget has been changed from last year.

**Mr. Stone:**

Dick, let me try this one on you first. You don't have any objections to this amendment do you?

**Mr. Givens:**

No. Nothing to the amendment.

**Mr. Stone:**

Okay, let's move the amendment.

**Mr. Givens:**

Just the concept of the whole transfers.

**Mr. Stone:**

Can we move the amendment?

**Mr. Givens:**

Yes.

Which motion prevailed.

**Mr. Givens:**

On the bill.

**Mr. Stone:**

On the bill, I know of your past where you are opposed to those transfers. As you are well aware, I've objected to them as well. I just have to face reality, some of these accounts have gotten to the point that they need monies in them and some of the vacancies, because they were vacant up until now, are now filling and they are going to need some funds in those particular departments where they are here, some is in-grade, some is in the other accounts, but we are trying to see that they can end the business and people get paid. As bad as it is, some of these have need to be in there immediately so they can transfer the funds and pay some people.

I think in fairness to the Directors though, what they have said is, and they are not saying they don't need the money where it was, they are saying under the present constraints and the tightness of the budget as has been heretofore, they are just trying to shift it around to do the best they can to complete the year

of '81.

**Mr. Givens:**

Well, you know I have deep concerns in that. If we did not come up with this particular switching of the money, what would happen all of these departments? Did they not submit a budget to us? Did they not live up to that budget? They go up to the last hour and they claim now they don't have any money? What have they been doing with the other 365 days out of the year?

**Mr. Stone:**

No, no. They have money in their department, they just don't have money in that code account which is the difference.

**Mr. Givens:**

Yes but I'm looking at salaries and wages, salaries and wages all the way through. And then if they put it in the equipment and material and they are transferring over to wages and salaries -- you know I'd like to hope and think that when we are finished with a particular budget, that we say that this is the budget and the directors must live within that constraint. Its not today or Wednesday, or last Monday that they knew they had this problem coming. I mean they at least could have forecasted that they were going to have certain shortages by the end of the year and I see that many of these, if not most of them, are mostly for salaries and wages, regular and temporary employees. I have to appreciate the City wants to get their job done, but I sit here and I'm concerned, and I've voiced this concern for six years, that I've worked and lived all of my life within my own budgets and I expect the City of Pittsburgh to do likewise.



**Mr. Stone:**

The Mayor imposed a 5% cut in salaries at the beginning of the year and this is where it has come to pass and right now we are funding these particular salary accounts for the balance of the year. That's all I can say.

**Mr. Givens:**

I think I made my statement. I've been on record on it and I will remain to be on record and I have to appreciate that what is going to happen here, if it didn't happen there might be some impact but I have to say that these people should have known it was coming and if they did not know that it was coming, that they are not doing their particular job.

Is there anything in here for City Council, Mike?

**Mr. Perry:**

No.

**Mr. Givens:**

Please, speak into the microphone, I want to hear you.

**Mr. Perry:**

My accounts are okay.

**Mr. Givens:**

Your accounts are okay?

**Mr. Perry:**

Yes.

**Mr. Givens:**

Now if the Councilmen's accounts are okay then why aren't our other

departments' accounts okay? We hire regular salary, we hire extra people in our salary, and I don't think we pad out budget any, and yet we come up with what we have to work with and that is my exact point. I mean, I have a very serious concern in this particular matter, and here we are at the last hour. You know, it's a juggling act every once in a while and I don't mind doing it in one department if they can come up and justify, line by line, why they need these transfers, and if they seem logical and etcetra, that something happened that was unusual in that particular department, or that little division in that department, something happened that could not be foreseen or forecast, I could have some reservation in passing it, but when you come up with two some million dollars and say, just pass it at the last hour, that gives me a deep problem of management within City government.

**Michelle Madoff:**

Mr. President, I think the issue that Mr. Givens and I discussed earlier this morning is really one that we, in the short time I've been here, three and one-half years and he has been here six years, and others have expressed at this table, some of our new members, that somehow, some way, we cannot have this budget rammed down our throats, or oiled through at the last minute, and changes made because it is expedient. It is time that the Mayor honored his commitment to me personally, that he would meet with members of Council in an informal setting and we discuss some of the problems. In that way we would have known, perhaps, by meeting with department heads and with the Mayor and the Administration, that indeed we were going to run short at the end of the year and in what areas we were likely to run short.

In the same vein, I think it be

incumbent upon the Chairman of the Finance Committee, before we vote on our final budget, to meet with members of Council, not individually, and say, "Well, Michelle, what are you going to do about your Water Department", when the Water Department is the vital blood of the City, and the budget has not been increased, and I would be pushing to get a great deal more money for that department, it shouldn't be up to me, it should be this whole table discussing it in an informal kind of setting, as to where we can cut and where we can generate other revenues. What happens is we never address the budget until the last minute, and I think before I vote on any budget, and I am speaking for myself, if anybody else wants to address the issue they can do so, but unless the Mayor meets with us in some informal setting, and discusses some of the problems of the budget, where he plans to make changes in the coming year to generate revenues from untapped resources, or if the Finance Chairman does not meet with Council in some setting to discuss what is going to happen with the budget so that we don't vote just for our own committees and not know what the other person is doing; I for one will not vote for this budget and will not -- I am on record, so that no one can say I appropriated any funds for anybody, that I voted for output but I did not appropriate the funds. I want to have a roll call on every department head at the end of the '82 Operating Budget and Capital Budget, and I want to know what I am voting on. While I may respect every member of this Council and their integrity in their departments, I still may have some viewpoint and I would hope that they would care enough about the Water Department to have some input in that department. And I think that is what the issue is that we are seeing before us. Now we are seeing \$2 million transferred because nobody has bothered to tell us what is going on. The right

hand doesn't tell the left hand, the Administration runs the way Reagan runs. They tell us when they want our opinion they will give it to us.

**Mr. Stone:**

Call the question.

**Mr. Robinson:**

Mr. Chairman, in the past I have raised some concerns relative to transfers of money from one code account to the other at the end of the year. Those concerns still exist, but given the difficulty of this year's budget situation, it seems to me that anything that we can do to expedite not only the payment of our bills, but the facilitation of fiscal in the City should be done, and in that light I will vote aye.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally, as amended?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7                      NOES 1  
(MR. GIVENS VOTING NO)  
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally, as amended.

Also,

Bill No. 4401

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of American LaFrance in the amount of \$37,665.35 for emergency repair of fire equipment, payable from Code Account 1150, Outside Repairs, Department of Supplies, Bureau of Automotive Equipment. Interim approval granted by Council Bill 4239 dated November 18, 1981."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 4442

Report of the Committee on Public Works for December 2, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4305

Resolution entitled, "Resolution further amending Resolution No. 1229, approved December 29, 1979, effective January 1, 1980, as amended by Resolution No. 558, approved June 23, 1980, as amended by Resolution No. 849, approved August 19, 1980, as amended by Resolution No. 850, approved August 19, 1980, as amended by Resolution No. 970, approved September, 25, 1980, as amended by Resolution No. 1026, approved October 10, 1980, as amended by Resolution No. 1105, approved October 24, 1980, as amended by Resolution No. 1390, approved December 31, 1980, as amended by Resolution No. 390, approved April 22, 1981, as amended by Resolution No. 538, approved June 1, 1981, as amended by Resolution No. 885, approved August 24, 1981, entitled, 'A Resolution adopting the 1980 Capital Budget and approving the 1980 through 1985 Capital Improvement Program', by redefining the funding sources."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Robinson presented**

Bill No. 4443

Report of the Committee on Planning, Housing & Development for December 2, 1981, transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4230

Resolution entitled, "Resolution amending Resolution No. 588, effective July 2, 1981, entitled, 'Providing for a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with the administration of the Lemington Home for the Aged Urban Development Action Grant Project, so as to adjust previously authorized amounts to the actual project allowances.'"

Which was read.

Also,

Bill No. 4318

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly owned properties in the 7th, 13th, 21st and 25th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny

County as Block and Lots: 174-S-198, 22-D-135, 84-J-154, 22-B-261, 22-B-262, said properties having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4319

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 1st Ward of the City of Pittsburgh owned by Steeltown Corporation, A PA, Corporation and designated as Block and Lot 11-J-179 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4320

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by K. Simon and spouse, if married and designated as Block and Lot 11-E-293 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4321

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Leara Mathews, widow and designated as Block and Lot 11-E-294 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4322

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 3rd Ward of the City of Pittsburgh owned by Mae Jones, Administratrix of the Estate of Thelma Grey, deceased, Mary Pinnix, Harold Cuff, Jr., Jennie Peoples, Pricilla H. Hardin, Samuel George Hall and designated as Block and Lot 11-A-68 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4323

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that

property in the 3rd Ward of the City of Pittsburgh owned by Virginia DiDonato and spouse, if any and designated as Block and Lot 11-E-295 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4324

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 9th Ward of the City of Pittsburgh owned by Ignac Kowalski and Stanislaw Kowalski, his wife, and designated as Block and Lot 80-P-64 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4325

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 12th Ward of the City of Pittsburgh owned by James A. Witherspoon and Mary M. Witherspoon, his wife, and designated as Block and Lot 124-S-231 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant

Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4326

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 12th Ward of the City of Pittsburgh owned by Lettie Johnson and husband, if married and designated as Block and Lot 173-E-311 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4327

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 12th Ward of the City of Pittsburgh owned by Georgianna Brown and husband, if married and designated as Block and Lot 125-C-75 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4328

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by Ramond A. Capone and Vivian I. Capone, his wife, and designated as Block and Lot 174-M-213 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4329

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by Westray Company, Inc., a Pennsylvania Corporation and designated as Block and Lot 174-F-114 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4330

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by Ronald L. Charlton, et al, and designated as Block and Lot 174-H-367 in the Deed Registry Office

of Allegheny County under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4331

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Sophia Sekula and husband, if married and designated as Block and Lot 30-E-277 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4332

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 16th Ward of the City of Pittsburgh owned by Edward J. Gillenberger and spouse, if any, and designated as Block and Lot 13-R-93 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4333

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Harriet Baldauf Kircher, Edward J. Baldauf, Mary Kellner, Administratrix of the Estate of Zita S. Baldauf, AKA Zitta Baldauf, deceased, Mary Kellner, Executrix of the Estate of Joseph J. Kircher, and designated as Block and Lot 12-N-147 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4334

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Joseph G. Bennett, Nellie B. Kuhl, Walter J. Bennett, Verne Chapas, Monica D. Packan, Verne Chapas Trustee for Anna D. Balionis and designated as Block and Lot 12-K-283 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4335

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 17th Ward of the City of Pittsburgh owned by Walter R. Werkmeister and wife, if any, and designated as Block and Lot 3-S-189 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4336

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 20th Ward of the City of Pittsburgh owned by Arthur Early and wife, if married and designated as Block and Lot 20-G-21 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4337

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 20th Ward of the City of Pittsburgh owned by Peter Abartis,

Cezarija Abartis, John Collins, Jr., Walter Collins, John Collins, Jr., Walter Collins, Executors of the Estate of John Collins and designated as Block and Lot 42-D-204 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4338

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Western Wrecking and Development Corporation and designated as Block and Lot 22-K-314 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4339

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by William J. Murray and Petronilla Murray formerly husband and wife, now divorced and designated as Block and Lot 22-B-258 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified



as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4340

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Elizabeth McSorley, and designated as Block and Lot 22-B-259 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of Pittsburgh."

Which was read.

Also,

Bill No. 4341

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 21st Ward of the City of Pittsburgh owned by Isaac Fritz and Olivia Fritz, his wife and designated as Block and Lot 22-B-260 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4342

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by George John Alexiades and Mike John Alexiades, with the joinder of their respective spouses, if married and designated as Block and Lot 23-157 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4343

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Albert R. Pickens and wife, if married and Leola Ann Pickens and husband, if married, and designated as Block and Lot 46-P-205 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Commission of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4344

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Harold S. Zimmer

and Mary W. Zimmer, with the Joinder of their respective spouses, if married and designated as Block and Lot 46-N-68 in the Deed Registry Office of Allegheny County, under the Residential Land and Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

Also,

Bill No. 4345

Resolution entitled, "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 25th Ward of the City of Pittsburgh owned by Jean Mulheizler and her husband, if married, and designated as Block and Lot 23-B-224 in the Deed Registry Office of Allegheny County, under the Residential Land Reserve Fund, said property having been certified as blighted by the Vacant Property Review Committee of the City of Pittsburgh and the Planning Commission of the City of Pittsburgh."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

#### **Michelle Madoff:**

Mr. President, may I ask the Chairman of the Committee, Mr. Robinson, could you get me just a one sentence note on why they are buying up the properties in the 21st and the 25th Wards, and what they are going to be used for, why they are being held?

#### **Mr. Robinson:**

All of these properties that are presently being purchased, exclusive of the ones that were approved by the Vacant Property Review Committee, those properties are being secured for future development.

#### **Michelle Madoff:**

I understand that, but I want to know what future development and then I can find out how they are going to advertise it.

#### **Mr. Robinson:**

In some instances, developers have already expressed an interest, in other instances we are searching for developers. Mr. George and Mr. Brophy are both working on that. The properties that the Vacant Property Review Committee has approved, and the Planning Commission have approved, developers have already been secured, we have names, addresses and phone numbers, and all that information can be secured from the Vacant Property Review Committee and Mr. Brophy is the Chairman of that committee.

#### **Michelle Madoff:**

Well, I feel much better about what is happening in U.R.A. since Mr. Brophy is going to head that department, and personally, you know, I have talked in great length many times, and we both agree that everybody should have the same options. But I think that Councilman O'Malley has raised some very valid points at this Council about people who have called his office, I've had people call mine, who want to buy properties that were held by U.R.A., and all I am saying is who is it? Did everybody else have a shot at it? I mean, this concept that we take the land and only one person we have made a deal with privately, who may or may not be a

friend of somebody's really offends me. What I want to know is that everybody in this City, from Mr. DePasquale to any member of Council, to anybody in the public, have exactly the same opportunity to negotiate for the purchase of those properties for development.

**Mr. Robinson:**

Well, if there are any properties that are listed here, where there are interested developers, I will be more than happy to personally accommodate them because it is my understand, except for the property approved by the Vacant Property Review Committee and the City Planning Commission, there has not been any final decision made on the disposition, so if there is anyone who is interested, I would be more than happy to lead them in the right direction.

**Michelle Madoff:**

Well, I think that is very commendable Mr. Robinson, but the point I am making is that when you put out a notice in small print, in the legal notices, or if indeed, they call the office, somebody is interested in property and they are told, "Oh, that is already in negotiations", and somebody else has got it and we go through three extensions, that really isn't getting the word out to the public that if you want to develop this property for maybe moving your chemical plant, I'm talking about stuff in cans, I'm not talking about -- because I know somebody specifically who is looking for a plant, has a store, three stores in the McKees Rocks area, who is thinking of moving into the City, this might be a very good location for him, but he would have no way of knowing it if I didn't speak to him and say, "Gee, I think there is a location for you".

**Mr. Robinson:**

One of the things that I have shared with Director Brophy is that as the new reorganization takes shape, I think we ought to do exactly what you said, we ought to find some way of better informing persons in the City who want to relocate or persons outside the City who want to relocate where property exists. Hopefully, as the U.R.A. begins to identify those people who will be managing the different units, whoever is managing the unit that specifically deals with city development, will do exactly what you have mentioned. Also, I think it would be appropriate, when Council considers the legislation that would approve of this merger, that we make sure that there are some provisions that cover the issue of publicly notifying a wider range of people relative to land that can be developed, and getting some assurances from U.R.A. and Mr. Brophy that this can be done, so that the widest possible range of people will know this property is available.

**Michelle Madoff:**

May I comment, in the last mailing from the Pittsburgh History and Landmarks Society, of which many of us are members, there was just a little print, the size of a typewriter, so that you could read it, not in legal notice which is in very, very fine print that I couldn't read even with a magnifying glass, and it just stated 10 or 15 properties in the Mexican War Streets and their prices and the condition they were in and that they were available for sale. I'd bet by the time the next mailing comes out they will be gone.

**Mr. Stone:**

Mike, I would suggest you check with them to see if we can't group all of those that are coming that same way -- instead of making a separate bill for it,

unless anyone has an objection, try to group them all.

**Michelle Madoff:**

I prefer it Mr. Stone, I think that gives us a better feeling for what is actually coming out of a ward or a district, and you can get a feeling that way at a glance.

**Mr. Stone:**

Call the question.

The Chair:

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Michelle Madoff presented**

Bill No. 4444

Report of the Committee on Water for December 2, 1981 transmitting one ordinance to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4309

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Three - Water, Article V - Rates. Charges Uses, Chapter 333. Section 333.03 Ferrule Charge, by increasing the charge therein."

Which was read.

**Mr. Robinson:**

I'd like to make a comment, that we are approximately doubling, or we are doubling the fee. While it may not seem like much going from \$12.50 to \$25.00, I think this highlights, again, the fiscal problems that we are having, and while I am philosophically opposed to these types of increases, I think it behooves all of us to support this effort so that we can maintain some sort of fiscal stability in the City.

**Michelle Madoff:**

I agree with Mr. Robinson, however, this particular one, I carefully asked the Director, and it appears these are people of substance who own properties who have turned off their water but haven't turned off the ferrule and they just are too lazy. It is cheaper to pay the \$12.00 — this fee for this quarter, and they may decide to just do it, this is not generally a hardship on people. This is not the increase or doubling of rates to residential consumers, or I would actually share your concern.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mrs. Masloff presented**

Bill No. 4445

Report of the Committee on Parks and Recreation for December 2, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed,

Also, with an affirmative recommendation,

Bill No. 4316

Resolution entitled, "Resolution amending Resolution No. 255, effective April 11, 1981, entitled, 'Providing for the letting of a contract or contracts or the use of existing contracts for the furnishing and placing of electrical lighting equipment for the installation of field lights at Langley High School Field, and providing for the payment of the cost thereof by reducing the amount provided by \$20,000.00."

Which was read.

**Mr. Givens:**

On Bill No. 4316, on the lighting, it looks like the City has to pay for the lighting service for them.

**Mrs. Masloff:**

Which bill?

**Mr. Givens:**

Bill No. 4316, if it is a public school, why is the City providing the lighting?

**Mr. Givens:**

No, its a public facility.

**Mrs. Masloff:**

I know, but we lease the field, I'm pretty sure.

**Mr. Stone:**

We are using that facility during the summer.

**Mrs. Masloff:**

We have leased the field during the summer.

**Mr. Stone:**

This is just one of those adjustments on the amount, Dick, this has been around a long time.

Its a heavily used field. This is nothing new, if my understanding is correct, this is just re-adjustment of the amounts. I'll bet you this thing has been around four years to my knowledge.

**Mr. Givens:**

.....various schools that have lighted athletic fields, do we put the lighting in for them?

**Mr. Stone:**

Not all of them, only the ones we use.

**The Chair:**

One hand really washes the other, whichever way it goes the taxpayers are going to pay for it.

**Mr. Givens:**

We'll pass it....

**Mrs. Masloff:**

Well let's pass it and then I'll check it out.

**Mr. Givens:**

...into our contractual agreement.

**Mrs. Masloff:**

I'll check it out, but let's pass it now. I'll check it for you.

Well then vote for it however you want.

**Mr. Givens:**

What I need Mike is the policy between the City of Pittsburgh and the School Board as to what we do on their property. I know we all pay the same taxes. Mr. Pery, I would ask that you check out the use of that facility in the summertime and in the winter and the City's liability on that field.

**Mrs. Masloff:**

No, its more than that. For lighting and other bills, its more than that.

**The Chair:**

Sophie, how does that work in regards to indoor structures such as gymnasiums where kids play, they have their winter basketball, what have you, doesn't the City reimburse them on that also? Because that comes up from time to time at the table that they want to use certain high school facilities.

**Michelle Madoff:**

Mr. Perry, when you write to the School Board, would you ask if it is possible to set up a meeting with those Councilmembers who would like to meet with them to find out if since the school has more money in their tax kitty than the City does, if they could take some of this burden off of us, to provide recreation for the children in the community that they teach, making it easier for the teachers to teach them when they have something constructive to do in their off time. I'd like a copy of that also.

Also,

Bill No. 4317

Resolution entitled, "Resolution providing for a lease from Mercy Hospital, for recreational purposes, of certain property in the 1st Ward designated at Block 11-J, Lot 304, for a term of one year, and commencing January 1, 1981, at an annual rental equal to the annual Property Taxes, and providing for the payment therefore, within 30 days of the date each year's tax liability is established."

Which was read.

Also,

Bill No. 4386

Resolution entitled, "Resolution providing for the acceptance of Deeds of Dedication from Jones & Laughlin Steel Corporation, for public park purposes and other public purposes, of certain properties located in the 16th Ward of the City of Pittsburgh, and for the payment of proper closing costs and expenses in connection therewith."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9                      NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. O'Malley presented**

Bill No. 4446

Report of the Committee on Public Safety for December 2, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4387

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the Commonwealth of Pennsylvania Commission on Crime and Delinquency for a grant in connection with Citizens-Police Partnership Against Crime Program (CPPACP); providing for the execution of a Grant Contract and for the filing of requisitions and other data; approving the Citizens-Police Partnership Against Crime Program; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Program; and providing for the deposit of funds in a bank account; providing for an agreement or agreements with the Neighborhood Centers Association to implement said Program and providing for the payment of the cost thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)
AYES 9	NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 4447

Report of the Committee on Lands and Buildings for December 2, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4299

Resolution entitled, "Resolution providing for the leasing from Buncher Management Agency, Inc., a parcel of land containing approximately 479,800 square feet of 11.01 acres, in the 6th Ward of the City of Pittsburgh, for a term of one year beginning January 1, 1982, at an annual rental of \$93,120.00, payable monthly at a rate of \$7,760.00, upon certain terms and conditions; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4300

Resolution entitled, "Resolution authorizing and directing the Mayor and the Director of the Department of Lands and Buildings, on behalf of the City of Pittsburgh, to lease to Crown Wrecking Company, Inc., a certain portion of the 'Bell Farm' property situate in the 28th Ward."

Which was read.

Also,

Bill No. 4301

Resolution repealing Item (G) of Resolution No. 70, approved 7/29/80, for the sale of various properties in the 25th Ward to Oliver E. Kaufmann, Bruce J. Kaufmann and Martin R. Zundel for the sum of \$5,150.00. Resolution is to forfeit hand money of purchasers.

Which was read.

Also,

Bill No. 4302

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the



bills passed finally.

**Mr. Robinson:**

New Business. Isn't New Business next?

**The Chair:**

No, that comes after Motions and Resolutions I think.

**Mr. Stone:**

He's asking whether you have New Business.

**The Chair:**

Okay, you want to take New Business now, alright, under New Business, and then we will go on to Motions and Resolutions.

**Michelle Madoff:**

We've always done it after resolutions.

**Mr. Stone:**

There is one we always missed.

**The Chair:**

I don't think we really ever had this procedure before.

**Mr. Robinson:**

I was under the impression that New Business came next.

**Michelle Madoff:**

I asked that a couple of times and I was told not until after resolutions so I was sort of thrown.

**Mr. Robinson:**

I was just asking the question.

**The Chair:**

Go ahead Mr. Robinson.

**Mr. Robinson:**

Thank you Mr. President. I would just like to raise an issue of new business with members of Council relative to some legislation that I shared with you about two weeks ago and it specifically related to the distribution and utilization of our Community Development Block Grant Funds. I drafted some proposed legislation in light of some changes in the federal guidelines or regulations and also anticipation that we are not going to receive the kinds of money that we received previously. We will be down about four to five million dollars for the coming year, 1982. I did get a response from Director Lurcott and Director Young relative to their observations. That letter, that communication is dated December 4th and I would like to have a copy of that included in the record as well as a copy of a legal opinion from our Solicitor, Mr. Mulvihill, dated December 4th.

I think at this time, rather than give any serious consideration to the bill by introducing it, I would like to have the information that I received and the bill referred to Mr. Flaherty's committee, which is the Sub-Committee on Federal-State Relations, and ask him if he would review the material and then make some sort of recommendation to Council as to how we should proceed. There are several reasons why I am requesting this, one, I think this is a very complex issue; two, I think that now that we are in the process of discussing the 1982 budget, that all money matters should be considered in light of that; and three, I

think that it is appropriate, given the change in guidelines and the scarcity of money nationally for community development efforts, that we should move cautiously and substantively to do something.

I have been assured by Mr. Lurcott and Mr. Young that they will be more than willing to work along with me and counsel in making sure that our commitment to low and moderate income people is consistent and that we establish some basic guidelines to give us some direction as to how we are going to be spending our Community Development Grant next year.

**The Chair:**

Mr. Robinson, that does include the ACORN request?

**Mr. Robinson:**

Yes, there was a request made by ACORN that we consider some legislation, primarily to protect the interest of low or moderate income people, and hopefully the process that I have outlined will address in part, their concern.

**Mr. Flaherty:**

In regard to that, I would be extremely honored to check into my applications on this specific issue. I believe that it is extremely important as was brought out, especially in light of the substantial cutbacks on the C.D. flow that we in Council try to have some sort of constraints, or some kind of check in regard to the Mayor's Office, to insure that the larger portion of these it seems, ever-dwindling funds, are allocated for those who have to have, those low to moderate income persons. I hope to have a report to the Council in regard to this, hopefully next week.

**LETTER FROM DIRECTOR LURCOTT,  
12/4/81:**

4 December 1981

President and Members of Council  
City County Building  
414 Grant Street  
Pittsburgh, PA 15219

Dear President and Members:

Recently, the Department of City Planning was requested to review a proposed piece of legislation which would lay out guidelines for the use of the Community Development Block Grant funds, requirements for the preparation of the application, and procedures for citizen participation and information.

The Department has reviewed this proposed legislation in light of the most recent changes in the federal guidelines for the program. It appears that the legislation is proposed in response to modifications in the federal guidelines which reduce the specific requirements and provide greater flexibility to local government. The Department's evaluation of the proposed legislation will speak to each of the specific subjects addressed.

The City's citizen participation effort for the Block Grant Program has grown out of a process begun in 1980 as a result of City Charter requirements for the preparation of the City's Capital Program. This approach is logical because the City has, from the beginning of the Block Grant Program, integrated Block Grant funded projects in the Capital Program. Subsequent to the establishment of the Block Grant Program in 1974, the citizen participation effort has expanded substantially; in part, to respond to specific HUD requirements, but also well

beyond the requirements to provide early citizen input into the planning process and opportunities for participation on a neighborhood basis.

Although the new HUD guidelines do not require specific actions and a citizen participation plan, the City remains committed to have a citizen participation process which will include neighborhood meetings, city-wide hearings, the provision of information on City programs and projects and budgets. The only modifications to the citizen participation program undertaken in the last year might be the elimination of certain public hearings held in response to new HUD requirements but which drew minimal response and interest by the public. The citizen participation program would continue to be outlined for the general public early in the planning process to provide the opportunity for comment on the citizen participation program itself.

A special requirement, as suggested in the proposed legislation to ensure that all documents concerning the Block Grant program be available to the public is unnecessary inasmuch as, regardless of the change in HUD requirements for the Block Grant Program, the City is still subject to federal and local disclosure acts requiring that such documentation be fully available during regular working hours.

The City's Block Grant Program over the past seven years has always provided at least 45% to 50% of its Block Grant funds to housing related activities which are predominately for low and moderate income persons because the housing programs are regulated by income eligibility. Since the City has defined CD neighborhoods (defined as census tracts whose residents earn 80% or less than the median income in the

SMSA) in which it provides public improvements and income eligible housing programs, our CD Program has always exceeded 90% benefits to low and moderate. We expect this effort to remain the same and refer to the 1982 Community Development Budget (which was prepared with some knowledge of the new regulations) and the Six Year Development Program which indicated our most recent development plans.

References to anti-displacement concerns, special assessments and economic development projects can most accurately be dealt with in the program development and review process which includes citizen participation. All City programs are reviewed by some public body (City Administration, City Council, Planning Commission, URA Board, or HACP Board) that subjects the guidelines of the programs to public review.

Based on the above points, it is the Department's recommendation that separate legislation as proposed is unwarranted given the clear direction of the proposed Block Grant Program and the continued commitment to an open citizen participation process. Alternatively, it is our intention in submitting the Block Grant applications for the coming year to include statements indicating the continued intention of primary benefit to low and moderate income persons and families, and the undertaking of an open and full citizen participation process.

Sincerely,

Robert H. Lurcott  
Planning Director

**END - LETTER FROM DIRECTOR  
LURCOTT**

**LETTER FROM MEAD J. MULVIHILL,  
CITY SOLICITOR, 12/4/81:**

December 4, 1981

Honorable President and Members  
City Council  
City of Pittsburgh

Re: ACORN's proposed Ordinance in  
regard to Federal Community  
Development Block Grant

Dear Mr. President and Members:

Councilman Givens has asked us to review and comment upon the draft Community Development Block Grant Ordinance (attached) submitted by the Pennsylvania Association of Community Organizations for Reform Now (ACORN). This draft concerns the 1981 Amendments to the Housing & Community Development Act of 1974. It purports to require (1) that the Department of City Planning continue to prepare an annual community development plan even though this is no longer required by the Act, (2) that all prior and current documents, plans and reports shall be available to the public, (3) that at least 75% of each year's funds shall be used for projects which principally benefit low and moderate income persons, and (4) that such federal funds as are used for economic development projects must generate long-term employment for low and moderate income people.

The Supremacy Clause of the Federal Constitution (Article VI) precludes municipal legislation which conflicts with federal laws or regulations. US v. Caroline Products Co., 304 US. 144 (1940). Under the doctrine of preemption, a state or municipality may not prescribe additional regulations or auxiliary provisions when Congress has, in the words of the late Justice Musmanno, "planted the flag of preemption in a

field." The Federal Housing & Community Development Act of 1974 authorizes the Secretary of the Department of Housing & Urban Development to make grants to states and local governments "to carry out activities in accordance with the provisions of this title." Any additional provisions imposed by local ordinance, attempting to regulate further the determination of which programs will be funded under the Housing & Community Development Act of 1974, would, in our view, constitute an unconstitutional limitation of the extent to which federal authority can be exercised. We believe sections 2, 3, 5, 6 and 7 of the draft would be unconstitutional as additional limitations upon a federal agency's authority to award federal money pursuant to federal regulations.

Section 5 of this draft invades the duties of the executive under Section 504 of the Pittsburgh Home Rule Charter which provides:

"The operating and capital budgets shall be prepared by the Mayor. The Mayor or representative of the Mayor shall conduct public hearings to obtain the advice of other officials and citizens as part of the preparation of both budgets..."

An ordinance mandating that 75% of all funds received under the Housing & Community Development Act of 1974 raises separation of powers questions in that it would constitute an unlawful interference with the executive's duty to initiate the capital budget.

The draft also provides in Section 4 that all key documents, including prior and current plans and reports, shall be available to the public. Such a provision is unnecessary. The Pennsylvania Right-To-Know Statute (65 P.S. 66.1) mandates that every public record of any

department, board or commission of any political subdivision shall be open for examination and inspection by any citizen of the Commonwealth of Pennsylvania. The Department of City Planning fully complies with this statute, and such records have consistently been made available to the public.

For the foregoing reasons, it is the opinion of the Law Department that the draft Community Development Block Grant Ordinance would be violative of the Federal Constitution and of the City Charter.

Enclosed is a letter from the Director of City Planning, Robert Lurcott, outlining the Department's policies and procedures concerning the use of Community Development Funds. This letter demonstrates that the prior and current practices of the city in using Community Development funds are in accord with the draft submitted by ACORN.

Yours very truly,

Mead J. Mulvihill, Jr.  
City Solicitor

Submitted by:  
Cynthia Danel  
Assistant City Solicitor

cc: Mr. Robert Lurcott  
Mr. Reginald B. Young

**END - LETTER FROM MEAD J. MULVIHILL**

**Michelle Madoff:**

Mr. President, on the same subject. Here we are at the last minute, trying to find some money. We knew the federal dollars were going to be shut off. I think the ACORN people and other people who have been calling all of our

offices have had a commitment from every member of Council that they have spoken to, that we are going to certainly put our mouths where our hearts are, and that is concern for the people who are the hardest hit.

However, I would like to point out, and there are a lot of people here in the audience today who are concerned with where the money is going to come from, and even if we were to allocate all of it that we got from the federal government to the communities, there just isn't enough, and that brings us back to the same thing that I talked about earlier today, which I just found in a statement that I issued in my critique of the budget dated December 24, 1979, that there are many alternative sources of revenue in the City and we'd better find them, and not December — the early part of December before we go into the budget.

I am personally going to send a list and pay for it myself, if it is deemed political, a list of where the sources of funding could be obtained, and since this Council, and the resolutions that we pass here are not implemented by the Administration, maybe the public could make the Administration understand that there are sources of revenue.

**Mr. Givens:**

I would like to issue a directive to the Clerk that we need this information very quickly, and it is in regard to the non-profit institutions in the City of Pittsburgh representing some 33% of our land value, and I'm sure a great percentage of our building value, and that we don't tax these people and in the way that we tax normal lands and buildings, but I'm referring to a service charge. If we need police, if we need fire, if we go in there and fix water mains that are servicing their particular

entity, as we did with Shadyside Hospital, then I think there has to be a service charge. If we cannot get the money from the state, then I think the users of these activities must then pay some type of a fee to the City of Pittsburgh so we don't keep on hitting over their heads, the people who live here all the time. If you think of our hospitals, I mean, our hospitals are not filled with only the City of Pittsburgh residents. If you look at — we are regional, we are definite regional for that, and we must serve a population of probably 3.6 million some people in the hospitals within the City of Pittsburgh, so I ask that that be looked into and possibly, if we can do that in this particular way, by assessing land and value, we assess their total involvement, you know, areas like the University of Pittsburgh, very, very heavily, and many of the hospitals that we have. But I think through some means, some mechanism, we must be able to broaden our tax base, and I ask, Mr. President, that that be given top priority and that we receive that information as soon as possible, hopefully before two or three days are out.

**Michelle Madoff:**

Could we have a letter going to the Mayor asking him to meet with Council on that subject. That is also part of my statement of December 24, 1979, and we were discussing it this morning, Councilman Givens and I. We need a service fee, some kind of a fee for the tax exempt bodies, and our saying it in Council doesn't seem to be heard in the Administration's office. Could we please respectfully request a meeting with the Administration as to how we can hopefully raise some revenue next year from the tax exempt bodies for police and service and all the items that Mr. Givens has raised.

**Mr. Flaherty:**

I have a question. I believe that the City tried to promote a service tax —

**Michelle Madoff:**

It was called the "sick bill" — but see, everything in its time. Everything in its time, it wasn't ready then.

**Mr. Flaherty:**

Was that found unconstitutional?

**Michelle Madoff:**

No, it was just that people raised such a furor about it. In Boston where they started assessing churches for services, the churches formed together; and something has to be done, many churches are empty today, many houses of worship, synagogues, etc., and I'm not advocating that, but I'm advocating that if we have to provide police, refuse pick up, litter on the streets, I'm not talking about on private property, and provide stand-by police and fire, then certainly we have to have some kind of a service fee for services rendered and how that would be worked out, should have been done in 1979, 1980, 1981, this is not something new. And I have no influence on this Council, I mean I can't say go ahead and do it. This is something that has come up before, and somewhere the Administration has to get the message.

**Mr. Flaherty:**

Point of clarification, if you are going to have a service tax, it is going to be uniform, right? Everbody —

**Michelle Madoff:**

We're not saying what to do, we're saying conceptually, we are not writing

the bill right now Mr. Flaherty, we are saying conceptually. The Administration should look into it immediately.

**Mr. Flaherty:**

But it would have to —

**Michelle Madoff:**

Well we'll talk about that when we get to the bill. Right now I'm saying, what do they plan to do to generate some revenue from the things that I outlined in my '79 critique of the budget. Every one of them is there. The West Penn Water — \$2 million that we subsidize West Penn Water users who are 30% of the City, perhaps we could sell them water. Force them to buy the water or not pay that deficit. I don't know. I don't know the answers but I sure know the questions. And I'm not the Administration. And the Administration had better sit down and get some experts to address them because if I were the Administration or you were the Administration, or some of the reporters were the Administration, they would be saying that somebody was here who could answer some of the questions and look into some expertise.

**The Chair:**

Mr. Flaherty take all of those suggestions under consideration.

**Mr. Givens:**

Mr. President, I have just one more subject that is unrelated to this, but somewhat, it is related. I pose this as a resolution to be voted on, up or down.

**The Chair:**

Okay, if you are under Motions and Resolutions, we have a couple already prepared, we'd better get to

them and then we'll get to yours. Okay?

**Mr. Givens:**

Fine.

## **MOTIONS AND RESOLUTIONS**

**Michelle Madoff presented**

No. 4448 WHEREAS, the general public erroneously believes that the office of City Council is only part-time; and

WHEREAS, Councilmembers, under the Home Rule Charter, must grant public hearings to a petition that holds at least 25 signatures; and

WHEREAS, Council holds a final vote meeting on Monday and a committee meeting on Wednesday; and

WHEREAS, there are generally zoning hearings and hearings on community problems on Tuesday and Thursday; and

WHEREAS, Councilmembers must respond to constituent complaints, i.e., garbage, snow, water leaks, etc., by returning phone calls and dealing with department heads on a multiple of issues which are all time consuming; and

WHEREAS, each Councilmember heads a committee which demands substantive time and attention; and

WHEREAS, budget hearings absorb weeks of daily hearings along with review of the budget while other chores must still be addressed; and

WHEREAS, Councilmembers are often asked to speak at/or attend public meetings, it is obvious Council's work usually amounts to much more than 40

hours a week.

NOW, THEREFORE,

BE IT RESOLVED that the members of the Council of the City of Pittsburgh publicly state that its offices have been and will continue to be available to the public 40 hours a week; thereby correcting the false impression that Councilmembers work only part-time.

Which was read.

**Michelle Madoff** moved for adoption.

**Mr. Givens** seconded the motion.

Which motion prevailed.

**The Chair:**

Under comments, if I may take the prerogative of the Chair, I think that this resolution is completely out of order because we are elected officials and I don't know how you can set the time an elected official must spend. I was under the impression that an elected official was on duty seven days a week. Certainly the offices are open Monday 8:30 to 5:30 through Friday. If we are saying the offices are not open, and as far as the Councilperson's time spent here, nobody is going to check them or follow them around to see if they are putting eight or nine hours a day in, and I presume they are available if one of their constituents wants them on a certain issue they certainly can find them wherever they are. At the same time, I mean, I just don't see how legally, we can act on a resolution of this type. It is certainly unprecedented and unheard of as far as I'm concerned. If the Parliamentarian cares to —

**Parliamentarian:**

This should be referred to the Solicitor, it is not a Parliamentary matter. The question of City Council's hours involves more than Parliamentary rules. The opinion should be requested from the City Solicitor.

**Michelle Madoff:**

May I address it, it is my bill. It is very apparent that if we are going to have accountability to the public, then we should be willing to state here and now, that we are willing, and have been, most of us have been giving, as you say Mr. President, seven days a week, 14 and 18 hours a day. I get calls at two in the morning, I get calls at seven in the morning, I don't think this is a question —

**The Chair:**

Michelle do you think anyone is actually prepared to say here that they are not available, that they are not going to work five days a week? I mean —

**Michelle Madoff:**

Well then let them vote that they indeed plan to do that and have been doing that. Why would you be afraid of reaffirming what we are doing anyway? I think that straightens out in the mind of the public —

**The Chair:**

I'm not afraid of anything. Its just unheard of —

**Michelle Madoff:**

Well, maybe unheard of, but it is long overdue. The public is erroneously under the impression that Councilmembers work part-time and every letter to the editor says, as part-time members why are they even getting the salaries they are getting. And they



also say, I cannot reach people on the phone. Well, let's state once and for all that although the Home Rule Charter did not spell out in error, the hours that we are to work, then we, ourselves, have accountability to the public and that we are willing to keep our offices and commit ourselves to a 40 hour week of keeping our offices available or ourselves available to the public, and I move that we vote on that.

**Mr. Flaherty:**

I have a question for you Michelle. Would you consider an amendment that would state, "WHEREAS, Councilmembers will annually make public income that they have derived from an outside job"?

**Mr. Givens:**

We do that already.

**Michelle Madoff:**

We do that anyway under law.

**The Chair:**

Council does that on their disclosure every year.

**Michelle Madoff:**

We have to do that under law. Its a disclosure we file every January.

**The Chair:**

Do that by January 15th every year Tom.

**Mr. Flaherty:**

But I'm talking in regard to a specific sum.

**Mr. Givens:**

The law says \$1,000, but anything over \$1,000 --

**Mr. Flaherty:**

Yes, but I'm talking about instead of just trying to categorize it into a broad bracket, that we could add a Whereas clause where we would specifically say how much Councilmembers earn, not as far as inheritance or stocks, but just from an outside income, as far as a job. I believe that that would be the best indicator to the public, if a member of Council is working full-time or part-time. For example, if a member of Council, from an outside job, is bringing in approximately \$80,000 a year for example, then I think it would be obvious to the public that perhaps this Councilmember is not working full-time as a Councilmember.

**Michelle Madoff:**

You mean the one that left?

**Mr. Flaherty:**

I can see how we can regulate, but I think just for public credibility, that this would be a step in the right direction.

**Michelle Madoff:**

May I respond to that? I think that that is already done Mr. Flaherty, by our disclosure. The person who left this room, who is probably the only full-time employee, person who has another full-time job that I know of --

**Mr. Flaherty:**

I don't agree with that --

**Michelle Madoff:**

I believe it is in the disclosure. If you want to amend the disclosure --

**Mr. Flaherty:**

It is in the disclosure, but the disclosures are so broad that they really do not say much of anything --

**Michelle Madoff:**

I agree with that.

**Mr. Flaherty:**

...and I think Michelle, if you say, if you are really interested, and trying to stop the eroding of public credibility, and if you are really tired of seeing people writing to the letter, saying that members of Council aren't full-time, I can't see, why the apprehension to state specifically --

**Michelle Madoff:**

None for me. None for me, but I think it should be a separate bill.

**Mr. Flaherty:**

...what counts as far as outside employment. And I mean, only defining this to employment, not any other source of income.

**Michelle Madoff:**

You mean my alimony wouldn't go in?

**The Chair:**

You don't want to make the amendment Michelle?

**Michelle Madoff:**

I haven't made the amendment.

**Mr. Givens:**

On this amendment that Mr. Flaherty is proposing, may I suggest that as of next year, everyone in this City will be giving the Controller of the City of Pittsburgh, a copy of his tax returns.

**Mrs. Masloff:**

No, that's confidential.

**Mr. Flaherty:**

That's fine.

**Michelle Madoff:**

That's fine with me.

**Mrs. Masloff:**

A copy of your income tax? Made public?

**Michelle Madoff:**

Why not?

**Mrs. Masloff:**

What do you want? A copy of your income tax made public?

**Michelle Madoff:**

I don't care.

**Mr. Givens:**

What I am saying is, that the City of Pittsburgh, all people will have to make their income tax be part of their Wage Tax collection that the City of Pittsburgh is doing. I have no problem with making my income tax statement -- its a fact -- I don't agree Tom, people can have outside affiliations where they make considerable amounts of money and yet at the same time, have been some of

the best legislators and governors and presidents that this country has ever had.

**Mr. Flaherty:**

I agree wholeheartedly with what you have said, but it is up to the public to judge. That is all we are talking about. We cannot put in stone what is a full-time or a part-time —

**Michelle Madoff:**

I wish you hadn't used that word.

**Mr. Flaherty:**

No pun intended. A full-time or part-time member of Council. All I am saying is to throw all of the alternatives out, let the public, let the sunshine, let the public see how much each member of Council is incurring from outside work and then let the public decide if a member is part-time or full-time. But I think at least we will have some contention out there that we are full-time members. I don't know if anyone on this Council really has to be apprehensive in regard to this amendment.

**Mr. Givens:**

I am willing to give my income tax statement, it discloses everything.

**Michelle Madoff:**

May I address that since it is my bill.

**The Chair:**

Are we going to make the amendment or aren't we? Do you want to make the amendment.

**Mr. Flaherty:**

Yes. I so move.

**The Chair:**

You heard the amendment, is there a second on the amendment?

**Michelle Madoff:**

I want to talk about the amendment before we second it.

**The Chair:**

We didn't get a second on the amendment, we have no amendment.

**Michelle Madoff:**

I second it so we can talk about it.

**The Chair:**

You have seconded, now it is open for discussion, go ahead.

**Michelle Madoff:**

Mr. Flaherty, I would support a bill, if you would introduce it separate and apart, and I will second that bill, and vote for it, that we, as Mr. Givens said, and since he suggested it I assume he will vote for it, that we turn in our IRS income tax returns for public information, so as you stated, there is really very little information in our disclosure, because I once got nabbed as being the person who has stock in Westinghouse and U. S. Steel one time and I had 50 shares in each because I didn't itemize them, I wasn't told to, it appeared that I owned them all, and I think it works both ways. If you want a separate bill on that I will support that, but I don't want to give anybody an out on this bill today, to say that they were not willing to committ themselves right here and now, that they will work a 40 hour week, or have their offices open 40

hours a week. Do that as a favor to me, I am asking you as a fellow Councilperson, as a separate bill, because I think you will give people an excuse not to vote for this bill.

**Mr. Flaherty:**

Well, the way I see it Michelle, and I appreciate your seconding the amendment, but see, here, what are we doing? We are just going to the public and I suppose, reaffirming or telling the public for the first time, telling certain

**Michelle Madoff:**

That's right.

**Mr. Flaherty:**

...a certain percentage of the public for the first time, that we are open 40 hours a week. I don't think your resolution as it now stands has any teeth in it. Its just superfluous.

**Michelle Madoff:**

I agree with you -- Mr. Givens -- well the point is --

**Mr. Flaherty:**

I mean, if we are going to make a resolution, and the crux of the matter is not stocks, as you were talking about, or inheritance, what have you, interest, what I am talking about is just simply putting in what a member incurs from an outside job, and I don't know why that is going to hurt the bill, I can't see why any member of Council would be hesitant to tell the public what they are as far as --

**Michelle Madoff:**

Do that in a separate bill, that is all I am asking, because it is very

apparent the public does not know we work full-time, that is all I want to address today. I will support your bill --

**The Chair:**

Michelle, you have seconded the amendment, let's vote on the amendment. Now if Mr. Flaherty wants to come up with a separate bill someday, let him come up with a separate bill. We could talk about that all day. Okay we have the amendment for disclosure of all earnings of Councilmembers should be added to the 40 hour week.

**Michelle Madoff:**

Would you withdraw your amendment please?

**Mrs. Masloff:**

What are we voting on now?

**The Chair:**

We are voting on Council to disclose all of their earnings made during the year, whether it is from working or from investments along with the -- disclosure of assets.

**Mr. Flaherty:**

We're voting on the amendment aren't we?

**The Chair:**

Yes.

Is there any further discussion on the amendment?

And on the question, "Shall the amendment be approved?"

The ayes and noes were taken agreeably to law, and were:

**Mr. Flaherty:**

Aye.

**Mr. Givens:**

Aye. And I say aye because I am not going to make out another statement, what I'm going to do is give my tax return, which indicates everything that I do in this world, as far as money is concerned. So don't make us fill out another, have someone draw up another disclosure statement.

**The Chair:**

I don't know how else you are going to do it if you don't fill out a form.

**Mr. Givens:**

Attach — you know the City Treasurer has it, all the Controller has to do is attach that to our local disclosure.

**The Chair:**

We already had discussion.

**Michelle Madoff:**

Aye.

**Mrs. Masloff:**

No.

**Mr. O'Malley:**

I need some answers from the Law Department, I'll abstain.

**Mr. Robinson:**

Abstain.

**Mr. Woods:**

Mr. President, that is already

covered under the Ethics Act we have to file with Mike and the Controller's Office, I vote no.

**The Chair:**

I vote no.

AYES 3

NOES 3

ABSTAINING 3

And a majority of the votes of Council not being in the affirmative, the amendment was defeated.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Mr. Flaherty:**

Aye.

**Mr. Givens:**

I have to agree with Mr. Flaherty, and the bill itself, 40 hours doesn't — I'm looking at it myself, "its offices that have been and will continue to be available to the public 40 hours a week, thereby correcting the false impression...", I mean really, our offices are open 40 hours a week.

**Michelle Madoff:**

Good, then say so.

**Mr. Givens:**

Well, like Tom said, its superfluous, but I'll vote for it, what the hell. I vote aye.

**Michelle Madoff:**

I certainly vote aye.

**Mrs. Masloff:**

I will abstain because I think it is unnecessary and superfluous, speaking for myself, you can always find me any hour of the day or night, not only 40 hours, 24 hours a day.

**Mr. O'Malley:**

I think the bill gives the wrong impression, but if it is going to enforce the public's faith that this Council works 40 hours a week and sometimes more, I vote aye.

**Mr. Robinson:**

Mr. President, I'll be governed by the Home Rule Charter and the Rules of Council and I will abstain.

**Mr. Woods:**

Mr. President, everything in this bill we already do and I think this is just going to lead to another thing, just like this Disclosure Act and so forth, and I know where Michelle is coming from and I go along with her, I believe what is in here, we already do that, but enough has been said and the public knows that we are here 40 hours a week or more --

**Michelle Madoff:**

They don't.

**Mr. Woods:**

I'm here -- every single day since I've been sworn in and I vote no.

**The Chair:**

I made a comment before, I felt it was out of order, I do now, and I vote no.

AYES 4  
ABSTAINING 2

NOES 2

And a majority of the votes of Council not being in the affirmative, the bill was defeated.

**Michelle Madoff:**

Mr. President, for the record, please note that Mr. Stone was absent at the vote.

**Mr. Woods presented**

No. 4449 WHEREAS, in October of this year the Department of City Planning and the Historic Review Committee submitted to Council legislation providing for the designation of Allegheny West as an historic district; and

WHEREAS, a public hearing relative to this matter was held before City Council on October 13, 1981; and

WHEREAS, at this hearing there were varying opinions among the residents in that area as to whether or not this historic designation would be beneficial to the community as a whole; and

WHEREAS, it would be in the best interest of that community to enact a temporary ban on demolition of structures and allow the residents a reasonable amount of time to resolve this issue among themselves.

NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Pittsburgh hereby request and recommend that the City of Pittsburgh place a 120 day moratorium

on demolition of structures in the Allegheny West area, in order that the residents there can resolve their differences and determine whether or not they feel it would be in their best interest to have their community designated an historic district.

Which was read.

**Mr. Woods** moved for adoption.

**Mr. Flaherty** seconded the motion.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

**Mr. Flaherty:**

Aye.

**Mr. Givens:**

Aye.

**Michelle Madoff:**

Aye.

**Mrs. Masloff:**

Aye.

**Mr. O'Malley:**

I'd just like to say I think it is an excellent resolution. Aye.

**Mr. Robinson:**

Mr. President, Mr. Woods has discussed this matter with me, we are

going to be working with some of the citizens of the Historical Review Commission and the Planning Commission in looking at this legislation, and hopefully, after the first of the year, we are going to come up with something everyone can live with. I vote aye.

**Mr. Woods:**

Aye.

**The Chair:**

Aye.

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**The Chair presented**

No. 4450 WHEREAS, the U.S. Army Corp of Engineers has announced its schedule to substantially reduce the future operation of eleven (11) locks on the Monongahela, Allegheny and Ohio Rivers, which schedule is to be effected December 31, 1981 and fully implemented as of June 30, 1982; and

WHEREAS, such a schedule would reduce and limit the availability of these rivers for the commerce and recreational needs of the people of the City of Pittsburgh; and

WHEREAS, such a reduced schedule would have a severe and detrimental economic impact not only on the people of the City of Pittsburgh and its businesses, but upon other river communities which depend on these rivers for their economic well being.

NOW, THEREFORE,

BE IT RESOLVED that the

Council of the City of Pittsburgh does by this resolution publicly express its opposition to these changes of the lock schedules and urges the U.S. Corp of Army Engineers to refrain from putting this program or any part of it in effect until a thorough economic appraisal has been made, and all concerned citizens have been given the opportunity to be heard.

Which was read.

**Mr. O'Malley** moved for approval.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, I'm a little bit confused. Would that in any way delay, or have any impact of hurting the community because they wouldn't be able to repair the locks?

**The Chair:**

No, just the opposite Michelle, I have been informed that what the Federal Government intends to do is similar to dropping a bomb there and it would be the same difference. Those locks have to remain open according to experts and the laying off of these people and closing of these locks is just going to foul up the whole situation. So it would be just the opposite of what you are saying.

**Michelle Madoff:**

No, I don't know, I'm just asking.

**The Chair:**

That is what they are saying.  
That is what the experts are saying.

**Michelle Madoff:**

Who is the "they're", that is what I don't understand.

**The Chair:**

Well, the TRIAD people and anybody who is connected with the program.

**Michelle Madoff:**

The TRIAD wants this bill or doesn't want this bill.

**The Chair:**

They want it.

**Michelle Madoff:**

They want it. Okay.

**The Chair:**

It may not change the Federal Government's way of thinking, or their attitude, but --

**Michelle Madoff:**

I just wanted to know where we are coming from.

**Mr. Givens:**

I have talked to many of our local congressmen and many other congressmen about from the northeastern part of this country that I can conceive of, and the fact that the public here has acted upon to increase by I think 330 some million dollars, the state bonding issue, to help out, and some of our areas of the state where the water supplies are not as adequate, its possible. It is very funny that the President of the United States who comes from the western states, and it is



ironic when I think if the irrigation that goes on out there, throughout the, and some parts of the midwest and the extreme west, receive all of their water supply from the taxes derived by all of the citizens of the United States, and it is ironic that we are paying the taxes for them to receive water in Los Angeles and throughout California Basin. Our tax dollars, and yet, nothing is done about telling the employees that are running that particular water distribution system, but yet the locks and dams which are vital to this City right here and is our life blood, seem to be on the attack. I would say that I would like to amend this, but I won't, but to our representatives who this is going to be in receipt of Mike, that they get a copy of the comments that are being said here today, likewise, so that if the President and other Congressional people from the Western part of this country, want to enforce this particular bill, I highly recommend and suggest that they look into the water irrigation, when in Los Angeles, when water is being pumped from Sacramento, some several hundred miles away, and the water bills in Los Angeles are cheaper than the water bills in the City of Pittsburgh, I begin to wonder.

**The Chair presented**

Bill No. 4451

A Resolution entitled, "Resolution approving the appointment of Robert Rade Stone, Gilbert Lancia and Carolyn Ann Franklin as members of the Reapportionment Committee of the Pittsburgh School Board District."

Which was read.

**Michelle Madoff:**

Wait, wait, wait. Who? What? For What?

**Mr. Perry:**

Robert Stone, Gil Lancia and Carolyn Franklin.

**Michelle Madoff:**

To do what?

**The Chair:**

We were informed a couple of weeks ago that Council had to make some appointments. Council has three appointments and I don't know how many the Mayor's Office has, to the School Reapportionment —

**Michelle Madoff:**

Has anyone asked them if they want to serve?

**The Chair:**

They are going to set new boundary lines for the School Board.

**Michelle Madoff:**

Well, has Mr. Stone been asked whether he would do it? Is he willing to serve if called upon?

**The Chair:**

These are names that were submitted to me. I said at the meeting if the Councilmembers have any names they want submitted to submit them to me, I've had three names submitted.

**Michelle Madoff:**

I understand, but if Mr. Stone won't serve, why put his name on?

**The Chair:**

I've had three names submitted,

and --

**Michelle Madoff:**

Will they serve if asked?

**The Chair:**

I presume they will if the names were submitted.

**Mr. Flaherty:**

Who are the three?

**Michelle Madoff:**

Stone, Lancia and who's the other one?

**Mr. Perry:**

Carolyn Franklin.

**Michelle Madoff:**

Who is she?

**The Chair:**

Bill Robinson made a nomination that the Franklin girl, Mr. O'Malley brought the name forth of Mr. Lancia, and Mr. Stone said he would like to serve on that committee.

**Michelle Madoff:**

Fine. Its okay with me.

**The Chair:**

Is there any discussion on the appointments?

And on the question, "Shall the appointments be approved?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the appointments were approved.

**Mr. Givens:**

Mr. President, I have another item, I think it is a concern of all of us, at least myself, that we in Council should sit down, and if we consider that the tax hearing is going to be on the 15th of December Mike? Tuesday?

**Mr. Perry:**

Tuesday, December 15th.

**Mr. Givens:**

I make a resolution that this Council on Monday, sometime Monday, set by you Mr. President, sit down in our Conference Room and have each of the Councilmembers talk to our Finance Chairman, as a group, and discuss some of the pros and cons on the particular budget, not voting on anything, but giving our ideas as to how we feel and what inputs we are receiving in the real world out there, the places where we live and commute and travel, as to what is going to possibly happen.

I raise this resolution because I feel that our Finance Chairman must have certain directions in how to apply this particular budget. I particularly do not want to go back and disturb the Finance Department of the City of Pittsburgh's Council, because I think they

have a lot of work to do, but I think this meeting could be very fruitful, at least I feel it should be, and I think it would give a different direction within this Council as to making this input rather than coming up to that last hour again.

**The Chair:**

Mr. Givens you are making a good point, but in regards to that day we have a hearing after the regular meeting, the legislative meeting, so we will have to do it that morning.

**Michelle Madoff:**

Fine, what time?

**Mr. Givens:**

Monday morning, you are referring to?

**The Chair:**

You have the Mayor's Conference at 9:30, at 10:00 in the morning.

**Mr. Givens:**

Well, the schedules have been flexible — I don't personally think that my discussion would last more than five minutes, you know, saying some of the feelings that I have had, and I think if others — I'd like to hear from others on how they can express it. I think it should be something that is done in closed session, we are not in violation of the sunshine law because we will not be voting on anything, but I think certain things must be said and heard so we know which way we are going.

**Michelle Madoff:**

How about a luncheon meeting?

**Mr. Givens:**

And I put that in a form — the resolution then would so state that the Council of the City of Pittsburgh would meet on Monday, the 14th of December at a time prescribed by the President of Council —

**The Chair:**

I'm just telling you right now that we don't have any time that Monday, he is saying now we have hearings in the morning, then we have the regular session, the legislative session at 2:00 and we have a hearing in regards to a deal in Oakland —

**Mr. Givens:**

Well then Mr. President, I would submit that we meet at lunchtime, I would submit that we would meet after any of the hearings.

**The Chair:**

Mr. Stone is going to be here tomorrow, why don't we talk to Mr. Stone and have him set a time or place to his convenience.

**Mr. Givens:**

Well, hold it. I asked for this meeting and I put it in the form of a resolution and I would like a vote on that.

**Michelle Madoff:**

Excuse me, would you change it to anytime between now and Tuesday?

**Mr. Givens:**

Anytime between now and Tuesday will be fine.

**Michelle Madoff:**

I'll second that.

**Mr. Givens:**

It makes no difference, I feel very strongly that we should sit down and discuss our —

**The Chair:**

Well we can do that but we are going to have to tell Mr. Stone and Mr. Stone is going to have to make himself available, we can tell him we'll set a time and place.

**Mr. Givens:**

Well, we can have it recorded, so if he cannot make the meeting —

**Michelle Madoff:**

No, no, no. Everybody has to make the meeting.

**Mr. Givens:**

Well, everyone can make the meeting, there is nothing mandatory about the meeting unless the President so declares it.

**The Chair:**

Well, I think everybody should make the meeting.

**Michelle Madoff:**

Mr. President, providing its between now and next Tuesday I second the motion, and —

**Mr. Givens:**

Excuse me, you seconded it, can we have a vote on the motion?

**Michelle Madoff:**

It could be Thursday, it could be Friday, it could be Saturday afternoon, it can be anytime that the Chairman wishes to call it.

**The Chair:**

We'll set a time that is convenient to everybody.

Is there any further discussion on the motion?

And on the question, "Shall the motion be approved?"

The ayes and noes were taken agreeably to law, and were:

AYES:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the motion was approved.

**Mr. Woods** moved to approve the minutes of Monday, November 30, 1981.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Woods**

Council adjourned.

# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, DECEMBER 14, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAY**...Asst City Clerk

Pittsburgh, PA  
Monday, December 14, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Flaherty presented**

No. 4452, Resolution providing for the issuance of a warrant in favor of Otis Elevator Company in the amount of \$6,973.11 in payment for elevator

maintenance, furnished for the benefit of the City, in connection with six automatic elevators, City-Council Building, and providing for the payment thereof, payable from C.A. 13 Repairs, Department of Lands Buildings.

Also,

No. 4453 Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of \$323,778.57, in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, Central Branch, and providing for the payment thereof, payable from LB 81-05, Carnegie Library.

Also,

No. 4454 Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$15,531.93, \$200,000.00 and \$84,967.08, totalling in the aggregate \$300,499.01, in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, Central Branch, and providing for the payment thereof, payable in amounts indicated from LB 79-05, LB 80-06 and LB 81-05, Carnegie Library.

Also,

No. 4455 Resolution providing for the issuance of a warrant in favor of Stanley Magic-Door, Inc., at an aggregate cost not to exceed \$3,500.00, for material and work performed on the automatic doors at the Ross Street entrance of the City-County Building and providing for the payment thereof, payable from CDLB 81, Public Building Access by Handicapped, Department of Lands and Buildings.

Also,

No. 4456 Resolution providing for the issuance of a warrant in favor of J. A. Kennedy Plumbing Co., Inc., in the amount of \$300.00; Rea Construction Co., in the amounts of \$230.00 and \$4,383.46 for an aggregate payment of \$4,613.46; and L.D. Astorino & Associates in the amounts of \$7,745.00 and \$1,055.00 for an aggregate cost of \$8,800.00, chargeable to and payable from CDLB 1980 (4-25-01-1940-80-109-80-25) Arlington Fire Station #22 and LB 81-12 (4-25-15-0005-81) Engineering Services Contracts, Department of Lands and Buildings.

Which were severally read and referred to the Committee on Finance.

Also,

No. 4457 Resolution applying requirements to the funds which the City receives under the Community Development Act of 1974 as amended, for the fiscal year 1982 and any year thereafter.

Which was read and referred to the Committee on Planning, Housing & Development

Also,

No. 4458 Resolution providing for a license to Duquesne Light Company to

install, use, operate, maintain, repair, renew and finally remove cables and wires over, along across and through certain property of the City of Pittsburgh fronting on Brighton Road, 27th Ward.

Also,

No. 4459 Resolution authorizing the Mayor and the Director of Lands and Buildings to transfer all of the city's right, title and interest, if any, to the City owned property in the 22nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots 8-M-10 and 8-M-25 to the Urban Redevelopment Authority in accordance with the North Shore Redevelopment Plan and Proposal.

Also,

No. 4460 Resolution repealing Item (H) of Resolution No. 289, approved 4/18/80 for lot on Middletown Road (20th Wd.) designated as B & L 71-C-76, to Calvin & Jeanette Jemison, for the sum of \$2,000.00. Resolution is to cancel sale and return hand money to purchasers.

Also,

No. 4461 Resolution providing for the filing of a petition/s for the sale of certain property/s acquired at tax sale in accordance with Act No. 514 of 1947, as amended.

Which were severally read and referred to the Committee on Lands and Buildings.

**Mr. Givens presented**

No. 4462 Resolution providing for the issuance of a warrant to Atwood and Bates Construction Company in the

amount of \$26,842.67 in payment for Additional Work furnished for the benefit of the City in connectin with the Kennebec Street Sewer Reconstruction from Frank Street to Windsor Street; and providing for the payment thereof.

Which was read and referred to the Committee on Finance.

Also,

No. 4463 Resolution providing for an agreement/s with the U.S. Department of Interior, Office of Surface Mining, and the PA Department of Environmental Services, for the purpose of granting the Department of Interior and the Department of Environmental Services a right of entry into, over and upon certain lands owned by City, and a license and right to conduct thereon an exploratory drilling project.

Also,

No. 4464 Resolution providing for an Agreement/s with any or all of the following parties: The Boro of Greentree, the School District of Keystone Oaks, Paul Kossman, Commonwealth of Pennsylvania, Department of Transportation, and Don Ross, Jr., for any or all of the following: construction, maintenance, cost sharing, easements, tap-ins, fees, etc., for the constructin of a sanitary and/or storm sewer, extending from Old Banksville Road through the private properties of Don Ross, Jr., the Commonwealth of Pennsylvania, Department of Transportation, Paul Kossman, Keystone Oaks School District, and the City of Pittsburgh property, to the City line at Greentree Boro, herein noted as Lapark Sewer.

Also,

No. 4465 Resolution providing for the taking of property in the 8th Ward, City of Pittsburgh, owned by Don Allen Chevrolet Company for reconstruction of Bloomfield Bridge and approaches and authorizing payment of just compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 4466 Resolution providing for the taking of property in the 8th Ward, City of Pittsburgh, owned by Bearing Service Company, for the reconstruction of the Bloomfield Bridge Project and approaches and authorizing payment of Just Compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 4467 Resolution providing for the taking of property in the 8th Ward, City of Pittsburgh, owned by George Berman and Sarah Berman, his wife, for the reconstruction of the Bloomfield Bridge and approaches and authorizing payment of Just Compensation and necessary and incidental acquisition and relocation costs related thereto.

Also,

No. 4468 Communication from Louis Gaetano, Director, Department of Public Works, requesting interim approval of payment of \$123,520.00 to Dick Corporation for extra work in connection with proposed City asphalt plant, to be payable from PW 80-32, Miscellaneous Repairs to Streets and Structures.

Which were severally read and referred to the Committee on Public Works.

**Michelle Madoff presented**

No. 4469 Resolution providing for the issuance of a warrant in favor of Lewis & Coulter, Inc., 1225 Washington Boulevard, Pittsburgh, PA 15206, in the amount of \$342.70, chargeable to and payable from C.A. 1705, Repairs, Department of Water, for repair to two pumps.

Also,

No. 4470 Resolution transferring the aggregate sum of \$1,380,000 from the Water Fund to the General Fund and the following various code accounts within the Department of Water. General Fund - \$1,000,000, 1702, Municipal Obligation for Non-City Water Agencies - \$180,000 and 1750 Chemicals, Water Fund - \$200,000; and repealing Resolution No. 1258, approved December 3, 1981.

Also,

No. 4471 Resolution transferring \$8,000.00 from Code Account No. 1796, Salaries and Wages, Regular Employees, to Code Account No. 1700-1, Premium Pay.

Which were severally read and referred to the Committee on Finance.

Also,

No. 4472 Resolution providing for the letting of a contract/s or use of existing contracts for the furnishing and delivery of three aurora series 410 horizontal, split case, single stage centrifugal pumps for the Department of Water and for the payment thereof, cost not to exceed \$45,000, payable from WD 81-05, Pump Rehabilitation and Replacement.

Which was read and referred to the

Committee on Supplies.

Also,

No. 4473 Communication from Richard Cosentino, Director, Department of Water, requesting interim approval of payment of \$1,000.00, for installation of utility pole in South Atlantic Avenue to provide energy for in-line pump station to improve water pressure and flow in area.

Which was read and referred to the Committee on Water.

**Mrs. Masloff presented**

No. 4474 Resolution authorizing the issuance of a warrant in favor of Olan Cottrill, Jr. in the amount of \$1,000.00 in payment for work performed at Phipps Conservatory, furnished for the benefit of the city without previous authority of law; and providing for the payment of the cost thereof, Phipps Conservatory Trust Fund.

Also,

No. 4475 Resolution authorizing the issuance of a warrant in favor of Tedco Construction Corporation in the amount of \$1,067.25 in payment for work performed at the Pittsburgh Symphony Summer Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Also,

No. 4476 Resolution authorizing the issuance of a warrant in favor of Thomas DiDiano Construction Company in the amount of \$4,380.00 in payment for work performed at Westwood Pool and Bathhouse, furnished for the benefit of the city without previous authority of



law; and providing for the payment thereof.

Also,

No. 4477 Resolution authorizing the issuance of a warrant in favor of Pete Jeffrey & Associates, Inc., in the amount of \$1,141.00, in payment for equipment purchased for West End Shelter, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof.

Which were severally read and referred to the Committee on Finance.

Also,

No. 4478 Resolution providing for a contract/s or use of existing contracts for the repairs to various facilities including Paulson and Fowler Recreation Centers; and providing for the payment of the cost thereof.

Also,

No. 4479 Resolution providing for an Agreement/s with the United States of America (U. S. Army Corps of Engineers), for financing the non-Federal Cooperation in connection with construction by the United States of emergency streambank protection on the Allegheny River at Pittsburgh, Pennsylvania; and providing for the payment of the City's share of the cost not to exceed \$100,000.00, payable from 1977 CDBG.

Also,

No. 4480 Resolution further amending Resolution No. 1558, effective 12/31/78, as amended by Resolution No. 1072, effective 12/5/79, entitled, "Providing for an Agreement/s with architects or engineers for professional services in connection with the design of

various swimming pools and bathhouses in the Department of Parks and Recreation, and providing for the payment of the cost thereof," by further decreasing the authorization from \$65,000.00 to \$56,980.00.

Also,

No. 4481 Resolution amending Resolution No. 1056, approved October 21, 1981, effective October 29, 1981, entitled, "Resolution providing for a lease/s and/or License Agreement for the use of certain property for Senior Citizen Facilities in an amount not to exceed \$55,000.00" by increasing the authorization to \$63,000.00.

Also,

No. 4482 Resolution amending Resolution No. 933, effective September 19, 1980, as amended by Resolution No. 834, effective August 19, 1980, entitled, "Providing for the letting of a contract/s for replacement of the gym floor at Brookline Recreation Center; and providing for the payment of the cost thereof," by further reducing the maximum amount of the contract from \$20,000 to \$17,838.00 (PR78-20).

Also,

No. 4483 Resolution amending Resolution No. 1009, approved December 27, 1976, effective December 30, 1976, entitled, "Providing for the letting of a contract/s for architectural, engineering and other professional services in conjunction with the 1976 Capital Improvement Program in the Department of Parks and Recreation at a cost not exceeding \$85,000.00" by decreasing the authorization from \$85,000.00 to \$84,502.20, Code Account (76 CDPR).

Also,

No. 4484 Resolution further amending Resolution No. 407, effective 5/1/81, as amended, entitled, "Providing for an Agreement/s with the Neighborhood Centers Association located at 1439 N. Franklin Street and the URA so as to rehabilitate a Neighborhood Centers Association owned structure located at 2 Heines Way, 21st Ward for use as a Boy's Club facility. Carnegie-Mellon students will be used as volunteer architects and construction workers; by increasing the amount provided, \$36,864.00, \$29,610.00 - 1980 CDULO and \$7,254.00 from 76 CDPR.

Also,

No. 4485 Resolution amending Resolution No. 1331, approved December 12, 1980, effective December 17, 1980, entitled, "Providing for the letting of a contract/s or use of existing contracts for Renovation of the West End Park Shelter, and providing for the payment of the cost thereof," by decreasing the maximum authorization from \$20,000 to \$19,199.00.

Also,

No. 4486 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$5,500.00 for extra work in connectin with Schenley Park Ice Rink Compressor, Project No. 81-PR-05, Controller's Contract No. 25371.

Also,

No. 4487 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$1,575.00 for extra work in connection with Volunteers Park Improvements, Controller's Contract No. 25383.

Also,

No. 4488 Communication from Louise R. Brown, Director, Department of Parks and Recreation, requesting interim approval of payment of \$200.00 for extra work in connection with consultant's contract for Highland Bathhouse Renovation.

Which were severally read and referred to the Committee on Parks and Recreation.

#### **Mr. O'Malley presented**

No. 4489 Resolution providing for the letting of a contract/s or the use of existing contracts for the furnishing and delivery of Power Rescue Tools for the Department of Emergency Medical Services and for the payment thereof from C.A. 1423, Equipment, Emergency Medical Services, at a cost not to exceed \$12,000.00.

Also,

No. 4490 Resolution providing for the letting of a contract/s or use of existing contracts for the furnishing and delivery of a Trench Rescue Trailer Unit for the Department of Emergency Medical Services and for the payment thereof from the Emergency Medical Services Non-Resident Emergency Ambulance Trust Fund (EMNEAS) at a cost not to exceed \$18,000.00.

Also,

No. 4491 Resolution providing for the letting of a contract/s or use of existing contracts for furnishing and delivery of Airshore Trench Jacks for the Department of Emergency Medical Services, for the payment thereof, from C.A. 1423, Equipmient, Emergency Medical Services, cost not to exceed

\$16,000.00.

Also,

No. 4492 Resolution providing for the letting of a contract/s or use of existing contracts for furnishing and delivery of Hydraulic Rescue Rams for the Department of Emergency Medical Services and for the payment thereof from C.A. 1423, Equipment, Emergency Medical Services, cost not to exceed \$11,000.00.

Which were severally read and referred to the Committee on Supplies.

**Mr. Robinson presented**

No. 4493 Resolution creating a special trust fund in connection with the reimbursement of CDBG funds from various projects to be entitled "Community Development Block Grant Reimbursement Trust Fund."

Also,

No. 4494 Resolution providing for Issuance of Certificate of Appropriateness for work on exterior of 441 Market Street Block & Lot 1-D-149, in the Market Square Historic District in the 1st Ward.

Also,

No. 4495 Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635 and 1065 of 1980, and by Resolution Nos. 316, 797, and 1201 of 1981, so as to decrease line item PR 80-09, "Burgwin Swimming Pool Design and Rehabilitation" from \$50,000 to \$33,600, and further, to increase line item PR-80-08 "Ormsby Swimming Pool Rehabilitation" from \$30,000 to \$46,400.

Also,

No. 4496 Resolution amending Resolution 1046 of 1976, etc., so as to change the title of PR-77-5 from "North Side Ice Skating Rink, Design" to "Clemente Park Rehabilitation".

Also,

No. 4497 Resolution approving renewal of a Conditional Use Exception (originally Resolution No. 1112 of 1980) under provisions of the Zoning Chapter City Code 905.03 (c), for expansion of the Presbyterian Home for the Aged located at Perrysville Avenue and Burgess Street, 26th Ward.

Also,

No. 4498 Resolution approving execution of a Contract by and between URA and Kingsley Association for the sale of Parcel B-2a in the Seventh Ward of the City of Pittsburgh for \$40,000.00--East Liberty Project, Redevelopment Area No. 10.

Also,

No. 4499 Resolution authorizing the URA of Pittsburgh to transfer properties in the 12th and 13th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot Nos. 125-L-24, 174-G-306, 175-C-308, 175-C-302, 174-B-302, 174-B-279, 174-B-149, 174-N-297 and 174-B-242 from the Great House Sale Program to the Residential Land Reserve Fund (Urban Homesteading Program).

Also,

No. 4500 Resolution approving execution of Contracts by and between URA and various Redevelopers for the sale of properties in the 13th Ward --

**Residential Land Reserve Fund.**

Which were severally read and referred to the Committee on Planning, Housing & Development.

**Mr. Stone presented**

No. 4501 Resolution providing for the issuance of a warrant to Otis F. King and Johnnie Mae King, his wife, c/o Richard R. Isaacson, Esquire, 1906 Law & Finance Building, Pittsburgh, PA 15219 in the amount of \$7,400.00 and of a warrant to Ronald King in the amount of \$100.00 in full settlement of claims for personal injuries, arising from a fall on Bryn Mawr Road, and providing for the payment thereof, payable from C.A. 46, Judgments.

Also,

No. 4502 Resolution providing for the issuance of a warrant to Mary Lou Steinmiller, c/o Bruce A. Garcia, Esquire, 505 Second Avenue, Pittsburgh, PA 15219, in the amount of \$4,000.00, in payment of claim for personal injury due to a fall on Second Avenue and Grant Street on May 21, 1981, payable from C.A. 46, Judgments.

Also,

No. 4503 Resolution providing for the issuance of a warrant to Consolidated Rail Corporation, c/o Gary F. Sharlock, Esquire, 3090 U.S. Steel Building, Pittsburgh, PA, 15219, in the amount of \$26,500.00 in full settlement of claim for water damage on January 18, 1977, and providing for the payment thereof, payable from C.A. 46, Judgments.

Also,

No. 4504 Resolution providing for

an Agreement/s for professional services of a CETA Hearing Officer as a requirement of the grievance process under the CETA Equal Employment Opportunity Provisions, cost not to exceed \$15,000.00, payable from CETA Trust Fund, Federal Funds and providing for an agreement for court reporting services in connection with CETA grievance hearings at a cost not to exceed \$8,000.00, payable from CETA Trust Fund, Federal Funds.

Also,

No. 4505 Resolution amending a portion of Resolution No. 710, approved 8/7/79, entitled, "Providing for the lease of certain property at Allegheny Building, 17th Floor, Rooms 1701 through 1715, 2nd Ward, from September 1, 1979 for a term of thirty-seven (37) months at a rental of \$3,466.00 per month - total rental of \$128,266.42, payable from C-EOPP Trust Fund, Federal Funds (\$79,733.18) and CETA Trust Funds, Federal Funds (\$48,533.24).

Also,

No. 4506 Resolution amending Resolution No. 683, approved 7/17/81, entitled, "Resolution providing for authorization and transfer of funds to the 1981 General Fund of the City of Pittsburgh for reimbursement of indirect cost for the Community Development Block Grant Program and for authorization to enter into an Agreement/s with Arthur Young for professional services in connection with the development of the indirect cost schedule and providing for the payment of the cost thereof" by providing for extra work under such Agreement/s in order to develop indirect cost schedules for fiscal years 1976, '77, '78 and '79, and increasing the authorized amount from \$18,000.00 to \$27,000.00, payable from CDBGP-DP 81-08, Indirect Costs and

reducing amount transferring to General Fund from reimbursement of indirect costs from \$332,000.00 to \$323,000.00.

Which were severally read and referred to the Committee on Finance.

**Mr. Woods presented**

No. 4507 Resolution providing for a contract/s for the furnishing, delivery and installation of Mailroom Equipment and Mailroom Furniture for the Department of Supplies; and providing for the payment of the cost thereof, at a cost not to exceed \$20,000.00, payable from SD-81-08, Miscellaneous Equipment for City Departments, Department of Supplies.

Which was read and referred to the Committee on Supplies.

Also,

No. 4508 An Ordinance amending Ordinance Number 37 of 1981 to change all references therein to Chapter 511 of the Pittsburgh Code to Chapter 615 of the Pittsburgh Code.

Which was read and referred to the Committee on Public Safety.

**The Chair presented**

No. 4509 Communication from Ken Dixon, Director, Department of Elections, transmitting the Official Certifications of the Return of the votes cast at the Special Election on the three Amendments to the City of Pittsburgh Home Rule Charter held on the day of the Municipal Election, November 3, 1981.

Which was read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 on all of the bills by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mike, there is a bill that we are holding in regard to re-zoning in the Spring Hill area, I believe it is Council Bill 174 of 1981. It is my understanding that the Planning Department has corrected all of the technical problems with that bill and would like us to try to consider it and take action before the end of the year.

**Mr. Perry:**

Bill, I believe the time expired on that bill and we will have to have another hearing, but I will double check on that.

**Mr. Robinson:**

Please.

**Mr. Stone:**

If it can be put on, put it on Mike.

**Mr. Perry:**

Right.

**REPORTS OF COMMITTEES**

**Mr. Stone presented**

Bill No. 4510

Report of the Committee on Finance for December 9, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4380

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Houston - Starr Company in the amount of Four Hundred Ninety Dollars and Seventy Two Cents (\$490.72) for the installation of a garage door at 2625 Liberty Avenue, furnished without previous authority of law and providing for the payment thereof."

Which was read.

Also,

Bill No. 4381

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Louis J. Viglione in the amount of Forty Eight Thousand Six Hundred Twenty Six Dollars and Five Cents (\$48,626.05) in payment for 'Extra Work' furnished for the benefit of the City in connection with sewer reconstruction at Nine Mile Run; and providing for the payment thereof."

Which was read.

#### The Chair:

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4385

'Resolution entitled, "Resolution transferring \$35,000.00 from Code Account No. 1796, Salaries and Wages, Regular Employees, to Code Account No. 1700, Salaries and Wages, Regular Employees (\$5,000.00) and Code Account No. 1795, Salaries and Wages, Regular Employees (\$30,000.00)."

Which was read.

#### The Chair:

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of

Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4388

Resolution entitled, "Resolution providing for the issuance of warrants in favor of the following members of the Department of Police for partial financial replacement for items damaged while on duty; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES NOES

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4389

Resolution entitled, "Resolution transferring the sum of Three Thousand Thirty Two Dollars and Thirty Seven Cents (\$3,032.37) from Code Account 1119, Miscellaneous Services, to Code

Account 1120, Equipment, Board of Adjustment." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4390

Resolution entitled, "Resolution transferring One Thousand (\$1,000.00) Dollars from Code Account 1104, 'Supplies'; and Seven Hundred (\$700.00) Dollars from Code Account 1106, 'Equipment', into Code Account 1103 'Miscellaneous Services'."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4411

Resolution entitled, "Resolution

providing for the issuance of the following warrants: Domenic Nicassio in the amount of \$188,267.67 and J-Jac Construction Company in the amount of \$46,905.49, in payment for Emergency Work furnished for the benefit of the City in connection with the Reconstruction of Scott Way Sewer; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 8                      NOES none  
(MR. DE PASQUALE ABSTAINING)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4433

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of NBI in the aggregate amount of \$16,928.18 for the purchase of word processing equipment for the Office of the City Clerk, without previous authority of law, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9                      NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4434

Resolution entitled, "Resolution transferring the sum of \$10,000 from Code Account 57, Social Security Fund, to Code Account 30, Refunds - All Other Taxes."

Which was read.

Also,

Bill No. 4435

Resolution entitled, "Resolution transferring the sum of \$20,000.00 from Code Account No. 57, Social Security Fund to Code Account No. 44-1, Unemployment Compensation Fund."

Which was read.



### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

### **Mr. Givens presented**

Bill No. 4511

Report of the Committee on Public Works for December 9, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4382

Resolution entitled, "Resolution accepting the dedication of Shelly Drive as shown and dedicated on the Shelly Plan of Lots in the Twentieth Ward of the City of Pittsburgh by William Housley, Jr. registered surveyor and developer, for A.A.A.C. Corporation, for public highway purposes, opening and naming the same, fixing the width and

position of the roadway and sidewalks, establishing the grade, and accepting the grading, paving, curbing and sewerage thereof."

Which was read.

Also,

Bill No. 4383

Resolution entitled, "Resolution providing for an Agreement or Agreements with the Port Authority of Allegheny County for their cost participation in the reconstruction of Warrington Avenue."

Which was read.

Also,

Bill No. 4384

Resolution entitled, "Resolution further amending Resolution No. 523, approved June 12, 1980, effective June 18, 1980, as amended by Resolution No. 274, approved March 19, 1981, effective March 26, 1981, entitled, 'Providing for an Agreement or Agreements with a Technical Services Consultant for Engineering Services in connection with an Electrical Services Contract; and providing for the payment of the cost thereof', by increasing the total allocation by Seven Thousand Five Hundred (\$7,500.00) Dollars."

Which was read.

### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken

agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Robinson presented**

Bill No. 4512

Report of the Committee on Planning, Housing & Development for December 9, 1981 transmitting one ordinance and two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4155

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 7 by changing from 'M1' Limited Industrial District to 'CP' Planned-Commercial Unit Development District all that certain property bounded by: Cedar Avenue; Pressley Street, Lot No. 125, Block 9-A in the Allegheny County Block and Lot System; North Canal Street; and Lot No. 98, Block 8-D in the aforesaid system, 23rd Ward."

Which was read.

Also,

Bill No. 4391

Resolution entitled, "Resolution amending Resolution No. 732, effective August 14, 1980, entitled, 'Providing for an Agreement or Agreements with the Housing Authority of the City of Pittsburgh for the site assembly, construction and sale of a retail store in the Allentown neighborhood of the City for an amount not to exceed \$110,000', so as to increase the amount for the project by \$70,000 for a total amount not to exceed \$180,000."

Which was read.

Also,

Bill No. 4392

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1267 of 1977, as previously amended by Resolution Nos. 483, 829, 999 and 1563 of 1978; Resolution Nos. 252, 308, 590 and 706 of 1979; Resolution Nos. 352, 448 and 1191 of 1980 and by Resolution Nos. 560 and 888 of 1981 entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U. S. Department of Housing and Urban Development for a grant in connection with the 1978 Community Development Block Grant Program', so as to decrease line item PW 78-13 'Herron Avenue Bridge' from \$1,340,000 to \$1,326,720.66; and further to increase line item PW 78-14 'Bridges, Emergency Repairs' from \$350,000 to \$354,766.03; and further to increase line item PW 78-29 'Sidewalk Ramps for the Handicapped' from \$100,000 to \$108,513.31."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **Mr. Flaherty presented**

Bill No. 4513

Report of the Committee on Lands and Buildings for December 9, 1981 transmitting two resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4377

Resolution entitled, "Resolution amending Resolution No. 289 effective March 26, 1981 which presently reads: 'Authorizing the sale of property in the 7th Ward, formerly 20th Ward, of the City of Pittsburgh, designated as Block 84-G, Lot 142, to the Port Authority of Allegheny County for the sum of \$26,400.00', by changing a portion of Section 2, Item 'C'."

Which was read.

Also,

Bill No. 4378

Resolution entitled, "Resolution authorizing the sale of property in the 13th Ward of the City of Pittsburgh, Pennsylvania, located on North Lang Avenue, being part of Block 125-S, Lot 150, to the Port Authority of Allegheny County, Pennsylvania, for the sum of \$2,200.00."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **MOTIONS AND RESOLUTIONS**

##### **Mrs. Masloff presented**

Bill No. 4514

A Resolution entitled, "Resolution approving the appointment of Helena G. Hughes, 4433 Schenley Farms Terrace, Pittsburgh, PA 15213, for a two year term to expire December 31, 1982, as a

district member of the Pittsburgh Cable Communications Advisory Committee."

Which was read.

Also,

Bill No. 4515

A Resolution entitled, "Resolution approving the re-appointment of James F. Gage, 1239 Denniston Avenue, Pittsburgh, PA 15217, for a three year term to expire December 31, 1984, as an at-large member of the Pittsburgh Cable Communications Advisory Committee."

Which was read.

Also,

Bill No. 4516

A Resolution entitled, "Resolution approving the re-appointment of Samuel S. Blaufeld, 5317 Pembroke Place, Pittsburgh, PA 15232, for a three year term to expire December 31, 1984, as an at-large member of the Pittsburgh Cable Communications Advisory Committee."

Which was read.

Also,

Bill No. 4517

Resolution entitled, "Resolution approving the re-appointment of Sherman Wellons, 120 Climax Street, Pittsburgh, PA 15210 for a three year term to expire December 31, 1984 as an at-large member of the Pittsburgh Cable Communications Advisory Committee."

Which was read.

Also,

Bill No. 4518

Resolution entitled, "Resolution approving the re-appointment of Reverend Ronald P. Lengwin, 3324 California Avenue, Pittsburgh, PA 15212, for a three year term to expire December 31, 1984, as an at-large member of the Pittsburgh Cable Communications Advisory Committee."

Which was read.

Also,

Bill No. 4519

Resolution entitled, "Resolution approving the appointment of Harold Blye, 7709 Bennett Street, Pittsburgh, PA 15208 for a three year term to expire December 31, 1984, as an at-large member of the Pittsburgh Cable Communications Advisory Committee."

Which was read.

Also,

Bill No. 4520

Resolution entitled, "Resolution approving the appointment of Richard M. Berlin, 1118 N. Euclid Avenue, Pittsburgh, PA 15206, for a three year term to expire December 31, 1984, as an at-large member of the Pittsburgh Cable Communications Advisory Committee."

Which was read.

**Mr. Stone:**

I move to waive the two week waiting period and for approval.

**Mrs. Masloff** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

Mr. President, comment for the record. When I moved that we waive the rule on something I was told it is never done that way; it is being done today —

**The Chair:**

No, not on re-appointments. On appointments.

**Michelle Madoff:**

I think it is correct that we do it, I support it, but I just want to point out that we should not have different rules for different people.

**Mr. Givens:**

Council's committee versus that of a committee established by law, which Council's is, but —

**The Chair:**

These are appointments with strong recommendations from Council people and other respected citizens of the City of Pittsburgh.

**Michelle Madoff:**

Mr. President, these are not all re-appointments.

**The Chair:**

I said there are two appointments. Now, what is your pleasure on the two appointments?

**Mr. Givens:**

I'll move for approval.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

**Mr. Givens:**

The only question that I have is, geographically, Sophie, or has anyone looked to see if the City is pretty much represented throughout?

**Mrs. Masloff:**

Yes, there are six at-large and five from districts, the five, when anybody is re-appointed, they are re-appointed to the district that they are from. Yes, we were very careful about that.

**Mr. Givens:**

Very good.

**The Chair:**

All of the appointments and re-appointments are approved. Now on to Motions and Resolutions.

**Michelle Madoff:**

Mr. President, there was a vote taken in Council, as we are approaching the end of the year and the budget process, that a meeting be set up with all members of Council and you were to schedule that meeting. Mr. Stone has stated, and perhaps rightfully so, that he wants no meetings, informally, without them being open to the public, and I certainly support letting sunshine in any of our meetings, but I think that the informal type of meeting must take place and there are a lot of areas to be discussed. I told the Mayor at his meeting the other day that I had prepared a review of his budget, with the help of many people, and had determined there were probably some sources of revenue that he had not factored into the 1982 budget. I don't want to take the time to read it all today, but I would like it to be part of the record, I will submit it, I would like it verbatim in the record. It has already gone to the Mayor

to ask for his input, but I would like to briefly outline what is in the letter:

"It appears that in checking very thoroughly", unless someone has given me incorrect information, "there has been at least one million dollars collected in back taxes above what they expected to collect and factor into the budget."

I have on the last page of this, which is circulated to all members of Council, the article that appeared in the paper, and I did check with the appropriate office, and they tell me that has not been factored into the budget, and that is the one million dollars in tax revenue from the Chatham Apartments going condo.

There is approximately 2 million dollars that could be figured in next year's budget if we only take 2% off of the salaries, simply because it is not humanly possible to fill every Civil Service, or, you know, because of Civil Service or because of attrition, etcetera, all of the jobs. You always have at least 2% unfilled. Last year there was 5% taken out and the jobs were not filled at the end of the year, I'll bet there were more than 2% unfilled.

You know my strong feelings on the Zoo, the Aviary and the Conservatory, and I have talked to many people in the community who are taxpayers in the City who are tired of subsidizing the million-and-a-half dollars, and I have asked the Mayor to give those entities to the County or, if he can't, if doesn't want to do that, to try to get the private sector to generate that kind of revenue from the industries because they want to have a nice place, and the amenities for their people who work here in the community.

On the issue of donations and

grants — we are taking a lot of money out of the Operating Budget to give to very worthy groups and I would hope the Mayor would create a position for a grants person, and I wrote \$250,000, it probably would be more like 2 million dollars, I am very low on that figure, because all I figured is the small groups coming in, and I am probably very, very low, but I am also not figuring in the Aviary, the Library, the Museum, etcetera, where other cities get, actually, operating costs which we have never received. The Library and the Ballet and the Symphony get special project money, we are just starting to get operating dollars.

On the business of the land that has never been sold because we don't have a typist, or because we can't post our vacancies, I anticipate easily, we could generate an additional million dollars and I have talked to Mr. Valaw about that.

We have never vigorously followed through on selling West Pen Water, the City water, their water is not of our calibre, they have to regenerate and put in an activated carbon — they have an activated carbon system which they do not generate frequently enough and if somebody put the heat on seeing that that was monitored more closely, they would be in bad straits, and at least \$750,000 could start to come in next year to offset that 2 million dollars we use to underwrite. The 30% City taxpayers that we fund for the difference in water rates. Then Millvale, Aspinwall, Blawnox and others, we could start generating \$250,000 in revenue next year, what we could get is something in the nature of 2-1/2 million dollars, and I hope that the Mayor will aggressively pursue it, it has been diddling around for two years.

I talk about, in this letter to the

Mayor, buying equipment from bankruptcy sales and somehow working that out, without telling me how it can't be done, and Mr. Yatch is looking at that with a 10 million dollar budget, we can at least generate, say, 2 million dollars.

By the elimination of water meter readers, where not necessary, and additional water meter readers, just keeping the ones we need for industry and commercial use, we would stop the abatement process of abating at least \$50,000; I got that figure from the proper department.

And the 30% tax-exempt entities in our City, it is time we had a small fee for service, even if we spread it around, so small, in such small amounts that we only generated a million dollars, at least we would be getting something.

I was also surprised to learn that the Administration bookkeeping costs for Social Security Workmen's Compensation are not being charged back to those trust funds. I don't know what the dollars would be for that.

We are not currently keeping a day to day basis record on our computer system for incoming dollars for revenue. Received.

I factored in Mr. Woods' \$600,000 for refuse from his thoughts, which he spent some time researching, on taking the refuse directly to landfills and eliminating some of the half-way stations.

Again, the paramedics told us that if he had some staff he could generate another \$400,000.

And I was surprised to learn in a poll we did of 150 people at random, using the same poll I used last year on whether I should run or not, we used a

cross-section that was done by a professional polling operation, we used the same base, and we were shocked to learn almost 100% of the people we contacted preferred, even just the City taxpayers, to pay a larger Occupation Privilege Tax than to have that difference put on their Real Estate or their Wage Tax. And the figure I came up with, which was a very conservative figure, was 15 million dollars and I think we could take 15 million dollars off the amount that we would be anticipating for next year's budget.

I would hope that Mr. Stone would look at it carefully and I'm sure he will find some flaws in what I have done, but the information did come from the appropriate agencies in the City.

**LETTER TO THE MAYOR FROM  
MICHELLE MADOFF, 12/14/81:**

December 14, 1981

Mayor Richard S. Caliguiri  
513 City-County Building  
Pittsburgh, PA 15219

Dear Mayor Caliguiri:

In reviewing the budget it appears that the unexpected increase in payment on delinquent taxes is in the neighborhood of one million dollars plus. \$ 1,000,000

It also appears that the real estate tax of one million dollars due the City on the Chatham Apartments converting to condos has not been factored into the budget for 1982. \$ 1,000,000

Furthermore, in the 1981 budget a decrease of 5% was deducted from the entire salary allocation for the City. It is my understanding that this was done because of attrition, hold-ups in Civil

Service, and the impossibility of having 100% of the jobs filled. If 5% were once more cut, there would be an additional 4-1/2 million dollars for the 1982 budget, at worst even at 2%, it would be two million dollars.  
\$ 2,000,000

As you know I have long been disturbed with the deficits for the Zoo, the Aviary, and the Phipps Conservatory. The 1981 budget showed a deficit of 1-1/2 million dollars, which was subsidized entirely by the City taxpayers. I would strongly recommend that these entities be turned over to the County. If they refuse to accept these obligations with one-third help from the City, so be it! These programs should be dropped.  
\$ 1,000,000

I might also point out that in many major cities grants from foundations are now being made for operating costs. Perhaps you could prevail upon the leaders of our corporate headquarters to fund this deficit of 1-1/2 million dollars.

As you recall, we both heard Mr. Roderick of U.S. Steel speaking for the Allegheny Conference, state that across the nation less than 1% of the corporations made charitable contributions to the arts, and only 7% give as little as \$500. Industry has a strong interest in making this community a desirable place for its employees to reside, and should be willing to subsidize these amenities.

I am disappointed that Council did not approve a position for a grants person. I would hope that the Administration would create this position. In reviewing the contributions made to the City by local foundations, they are paltry compared to other major cities. An experienced grants person

could generate many more thousands of dollars, considering we are the third largest corporate headquarters in the country. This grants person, working with needy groups would help raise funds which ordinarily come out of the City Operating Budget as contributions. Certainly, as an example, foundations could be prevailed upon to underwrite repairs for the Mt. Washington overlooks and have a plaque stating that they maintain the site. This would in no way affect the person after whom the site was named. While foundation grants are generally not made for little leagues, marching bands, etcetera, they I am sure, would consider underwriting stages for the performing arts and other such projects.

Donations and Grants vigorously pursued would replace taxpayers dollars donated yearly out of the Operating Budget to worthy charitable organizations. Until recently, foundation grants made to cities were only for new projects. Many cities are now receiving foundation grants to cover operating expenses such as libraries and museums. Pittsburgh must convince the local industry to do likewise.  
(?)\$ 250,000

The City of Pittsburgh is unusual in that it has 70 traffic police officers. Most communities provide this service through their counties - not through their cities. I strongly suggest that we eliminate one-half of the traffic police officers, thereby hopefully forcing the County to share in this responsibility of directing traffic. These police officers are desperately needed in the community addressing more serious problems, such as burglaries, assaults, murder and rape.

I did not vote for the new Director of Lands and Buildings because I strongly believe we need someone experienced in real estate to generate



revenue from this virtually untapped source, the sale of City-owned properties, thereby not only generating revenue, but taking the burden of maintenance off the backs of the taxpayers. One million dollars would not be an unreasonable amount to generate in the coming year just by posting signs on vacant lots and using innovative ideas, such as turning over property to real estate agents, etc.  
\$ 1,000,000

There is another source of revenue that has not been vigorously addressed, and that is the sale of water to West Penn Water Company. Currently we subsidize the 30% of City taxpayers living in the South Side with a 2 million dollar payment to West Penn Water. This must stop.  
(For 1982 - \$ 750,000)

In addition, water can be sold to Millvale, Aspinwall, Blawnox, and other communities. If vigorously pursued this could generate an additional 2 - 2-1/2 million dollars yearly over the next few years.  
(For 1982 Minimum - \$ 250,000)

It is beyond my comprehension that we have not found a mechanism to purchase cars and heavy equipment from bankruptcy sales. Some of this equipment has never been used and is almost new. I fully understand the legality of the bidding process. However, if there is a will, there is a way, and we are not in competition with the private sector. I have spoken to Director Yatch about this, and hope that the 10 million dollar figure for supplies of this nature could be cut substantively, at least by 2 million dollars.  
\$ 2,000,000

The elimination of all meter readers that are not essential to the Water Department, and handling this

item by mail should generate revenue since this would negate abatements. Presently we don't read the meters for the most part in any event, and when a taxpayer is hit with an official reading after 3 or 4 years, it has been the policy of the City to abate this money legally due us, which is substantive.  
\$ 50,000

It is my belief that a fee for service must be levied by the Administration to collect some revenue from the 30% tax-exempt entities in our City who are provided with the services such as fire, police, litter removal, street paving and repair, salting of streets and snow removal.  
\$ 1,000,000

I was appalled to learn upon investigation, that currently the administrative bookkeeping costs for Social Security, Workmen's Compensation, etc., are not being charged back to these trust funds, but paid for out of the Operating Budget.  
some \$'s

I was even more appalled to learn that our computer system does not list revenues as received, as does every major business, and therefore, we do not have a total revenue on a daily basis. It is generally about 15 days late. Revenues are being compiled as if we were still in the 19th century.

Director Yatch publicly assured Councilman Woods that indeed there would be a substantive saving when the contracts are bid on refuse hauling in an amount close to 600 thousand dollars.  
\$ 600,000

In the budget hearings we learned of another area where, because of a 6 month delay in billing due to a lack of typists, it is estimated by the Paramedics Director that an additional

400 thousand dollars could have been collected.  
\$ 400,000

It is unconscionable that monies have not been allocated in the 1982 budget because of the probability of the City buildings having to convert to natural gas this coming year, since it is highly likely that the PUC will authorize the shutdown of the Allegheny Steam Heat Plant.

How can the Administration double the water rates and not allocate any additional dollars to the Water Department? There must be accountability to the public to protect public health. Water delivery, servicing of low pressure lines and water breaks which are prevalent in our antiquated system must be attended to quickly.

Having met with the supervisors of the Water Department, they have informed me that they need close to one million dollars in help and equipment. It is unbelievable that the Administration would permit the already rapidly deteriorating water lines to be held together with spit, paste and band-aids. There may be nothing left to fix next year! And it is certainly penny-wise and pound-foolish if equipment which is ready for the junk heap is not replaced to permit savings in labor costs.

Which brings me to the subject of why the water rates have never included the cost of repayment of the debt service for loans taken on Capital Bond issues used to replace old water lines? My information is that other communities have increased their water rates to volume users to cover this expenditure, and have still kept bulk rates less than residential users.

It might interest you to know that my office has done a survey of more than

150 City taxpayers, and overwhelmingly they have stated they would prefer an increase in the Occupation Privilege Tax as opposed to the greater burden on them of the Real Estate and Wage Tax as proposed in the 1982 budget. Unfortunately, we cannot levy this tax against non-City residents. Unfortunately we are only permitted under the Home Rule Charter to raise the Occupation Privilege Tax to City residents. At an increase of \$50 to City residents, the additional \$40 would generate approximately 4 million dollars. \$ 4,000,000

**Our figure totals \$15,300,000**

In closing, as of this date, to the best of my knowledge, the above items have not been factored into the 1982 budget. I would be willing to bet there will be at least an 8 million dollar surplus in 1982 if the budget holds as proposed by the administration.

Sincerely,

MICHELLE MADOFF  
Member of Council

**END - LETTER TO MAYOR CALIGUIRI,  
12/14/81**

**Michelle Madoff:**

My question sir, will we be having that meeting, did you schedule it?

**The Chair:**

I'll schedule it.

**Michelle Madoff:**

It has not been done yet?

**The Chair:**

No.

**Michelle Madoff:**

Because we have what? Hearings tomorrow all day on citizens and then Wednesday we have meetings. Anything Wednesday afternoon?

**Mr. Stone:**

Mr. President, if all works well, if I can get the cooperation of these Council people, the ones that we have not met with yet, between now and Wednesday, we could meet on Appropriations on Thursday afternoon depending on how the schedule goes.

Friday morning, continue that, Friday afternoon we could have this general discussion.

**Michelle Madoff:**

We will discuss it after we vote?

**Mr. Stone:**

The Appropriations are such that those should be done now so that they can get them into the machine.

**Michelle Madoff:**

But don't we want to talk about the Appropriations before they get in the machine?

**Mr. Stone:**

We will cover each department as we have done -- if I may for a moment Mr. President, I would just like to repeat the process that has been carried on for the last --

**Michelle Madoff:**

I think we all know the process.

**Mr. Stone:**

...carried on for the last four years. First of all we go through Stage I which is covering the present year plus all prior years. That gives the Councilpersons who are present the opportunity to know what happened this year plus everything in the past.

We've gone into Stage II, which is the coming year, which is 1982.

Stage III of that process, we have met and will meet with the balance of every Councilperson here who has a particular department, and at that time, come from recommendations from that party.

Stage IV, we will meet with the body of Council in which the recommendations that are coming from each Committee head, will then be recommended to the body for a vote.

We will be taking Appropriations to see whether or not what we need at that point, finding out whether our revenues get anywhere near it, and the balance has to be obviously funded in some way and that is tax increases.

That is the way it has been done, that seems to be a logical way to do it, and you have to find out what you are doing before you find a solution, and I see no reason to deviate from that.

**Michelle Madoff:**

Mr. President, may I respond. I think it is a little late in the day, and I think we have all said this early on, we should have been talking about where we could conserve money and generate more dollars through more efficient operation of various departments. After you meet with each one of us and our own committees and we make our own recommendations, and we go back as a body, I have very little time in the one

day, and the other members, to verify or talk to that particular department head about some of the findings that I have made now, and some of the recommendations that were made, such as having efficiency experts go through every department early-on, and next year to come up with innovative ways of doing business.

Mr. Woods and other members of this Council have come up with ideas over the year that have helped to generate revenue, I have done so myself, Mr. Stone has done so, and I don't think that we are the only people that know anything. I think that perhaps by getting some outside help, efficiency experts, could find innovative ways of doing business. At the last minute saying, "Well, each person has recommended that they do this or thus with their department", there really is no meaningful input, it is after the fact, its like, if you want our opinion, you'll give it to us.

#### **The Chair:**

We will have general discussion on Friday afternoon.

#### **Mr. Stone:**

Everything to be recommended has already been covered in Stage I and Stage II in all of these departments. I don't know how anyone can find a solution to the problem when they haven't even found out what the problem is. We covered that in Stage I, we have covered it in Stage II, and that is why we went through that process.

#### **Michelle Madoff:**

Its too late in the day, it should have been done all year long. We should have been talking about where we could generate additional revenue, it isn't

where we are going to cut so much as where we are going to get the extra money or the additional funds in an innovative way, in addition to which, there are some funds that could have been cut, obviously the Mayor has seen the light of day and he is doing it at the end of the year, things that could have been done last year by combining departments. Mr. Lurcott's department for one, where he does planning, it might have been advisable to combine that with other departments. There are many innovative ways where somebody, who is an expert in the field, going through the department that has no axe to grind, in a very impartial manner, could have come up with some innovative ideas, and I think it is unfortunate we conduct business the way we do on the budget.

#### **Mr. Givens:**

I just have one point. In previous years, I had asked the directors to, if you can recall, give me a one percent reduction in each department, two, three and then I think I went up to five percent. And I received back, probably about a third from the various directors, and most of those were from the very small departments, the large departments didn't even have the compassion or the rights to write back and tell me what their reductions would have been. It just leaves me with the feeling that we always, and I was the one who requested that we meet early on in this budget to discuss our feelings on the bottom line of the budget. Are we going to increase it by \$49 million, \$39 million, \$29 million, hold the line, what are we going to do? The general philosophy of how we feel, what we think, this has never been generated, it has never been brought out, and it is hard for one to grandstand and ask the Director of the Department of Public Works, would you give me a five percent reduction, a 10 percent reduction, and what does this

mean to you and how is this going to affect your operation. I've done that in past years and it hasn't meant a damn thing to me. It hasn't meant a thing to this Council because the Directors weren't truthful enough to even come up with the information because I was one person, and I have to agree, why I wanted to set up this meeting, I have very, very deep concerns of how any city in this country, any nation in this world, can come up with, and when you get the bottom picture, add it all up, and it is some, I think, 33.4% increase, almost a 34% increase in total taxation that we are asking the people of the City of Pittsburgh to accept. I think if that is to come about, it is like throwing a third of any weight of anyone's body against them at about 100 miles per hour, something is going to break. It is going to be devastating in the fact that people are not going to pay their bills, and we are going to have somewhat of a chaos in this City of Pittsburgh. It is going to mean something somplace along the line. There is no place have I ever read or heard, where any budget has been increased by that magnitude without some repercussions and I wanted to sit down and go over with the Council as a body to see if we could come up with any logical conclusions. That meeting has been deferred and it appears that it will never come about, and when it comes time for us to vote on this particular book budget, each of us will have to use our own conscience on how this is going to impact the total community. And I have other things to discuss that I would not like to say in public.

**Michelle Madoff:**

Mr. President, you are out in the community as much as I am, and you have probably talked to as many or more people than I do. I have had numerous letters in my office, I have a file of letters, not counting the calls that I am

getting where people say that if they have to have two people in their families, the wives are working to support the children or get them through school, if the Wage Tax goes to two-and-a-half percent each, they are going to move out of our City. They are going to move into Forest Hills, very close to the City but out of the City. Now that means that the burden is going to then fall on the rest of us even harder next year. I think that something has to be done where some kind of informal meeting should have been planned before this but it is not too late to have the Mayor with this Council and the Finance Chairman sit down and say how are we going to address that, and I think that is what most of us are asking for.

**Mr. Stone** moved to approve the minutes of Monday, December 7, 1981.

**Mr. Robinson** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, DECEMBER 21, 1981

No.

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

**EUGENE P. DePASQUALE**.....President  
**MICHAEL PERRY** .....City Clerk  
**WILLIAM F. McCRAY**...Asst City Clerk

Pittsburgh, PA  
Monday, December 21, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### PRESENTATIONS

**Mr. Stone presented**

No. 4521 Resolution repealing Resolution No. 1253, approved December 3, 1981, entitled, "Resolution transferring \$2,538,010.59 from Special

Trust Fund #2, Real Estate Refund Trust Fund, to the General Fund, MNOC."

Also,

No. No. 4522 Resolution adopting and approving the 1982 Capital Budget and the 1982 Community Development Block Grant Program; and approving the 1982 through 1987 Capital Improvement Program.

Also,

No. 4523 Resolution providing for the filing of an application by the City of Pittsburgh with the U. S. Department of Housing and Urban Development for a grant in connection with the 1982 Community Development Block Grant Program; providing for the execution of Grant Contracts and for the filing of other data; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account; and providing for the payment of expenses within categories.

Which were severally read and referred to the Committee on Finance.

**Mr. Stone** moved to suspend Rule 8 by providing for consideration of the bills only until or after the 9th calendar day following the meeting in which the bills were introduced so the bills will be on the agenda this Wednesday.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**The Chair:**

We have some resolutions and since the parties are present, I think it would be only proper that we have these resolutions read and adopted first.

**Mr. Robinson presented**

No. 4530 WHEREAS, the George Westinghouse High School has been distinguished by the numerous scholars and athletes who have served this distinguished institution; and

WHEREAS, the athletic program at Westinghouse is an integral part of the total educational program; and

WHEREAS, that distinguished athletic tradition has been most noticeable on the football field; and

WHEREAS, the Westinghouse "Bulldogs" have been a perennial football power in the City League and have won numerous championships over the years; and

WHEREAS, in 1981 the "Bulldogs" posted a 10 win 1 loss record and won the 1981 City League Championship by a score of 12 to 7 on November 14, 1981 at South Stadium.

**NOW, THEREFORE**

BE IT RESOLVED that the Council of the City of Pittsburgh and the Mayor, on behalf of the citizens of Pittsburgh does honor and recognize the Westinghouse High School "Bulldogs" and their championship as well as acknowledge Head Coach, George Webb, 1st Assistant Frank Barnes, 2nd Assistant John Tarka, Conditioning Coach LeRoy Dillard, Special Assistant Joe Golden,

and the students, staff and administration of Westinghouse High School under the capable supervision of William Nicholson, Ph.D.

Which was read.

**Mr. Robinson** moved for approval.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Mr. Robinson:**

Mr. President, Coach Webb is here and he would like to say a few words and we have some gold seal copies for the school and the players.

**The Chair:**

Coach, would you come up please.

**Coach Webb:**

Thank you Councilman DePasquale. I was honored that Councilman Bill Robinson gave us a call at the school and asked that we be here today. Dr. William Nicholson, our principal, wanted to be here today, but some urgent matters at the school kept him away. However, we brought along some of our senior ballplayers and one junior, I would like to recognize them because we had to get them out of class and you know that is not something we do everyday. I would like for Greg Simmons to stand, he is a senior lineman for us this year. Drymus Ware, Patrick Lindo, Daryl Braxton, Gregory Smith, Owen Felix, and our junior lineman, we have — what is your name son? You know, I do that on occasion — we have Allen Lane. I do that deliberately sometimes, Al is going to be one of our lettermen next year.

**The Chair:**



Did you do that on purpose or did you really forget his name?

**Coach Webb:**

Oh no. He's one of my captains, I can't forget his name, but I'd like to give him a little notoriety.

**Mr. Givens:**

Wouldn't you say Council needs a little bit of help to protect us as we leave the building today?

**Coach Webb:**

I don't think so. On behalf of the Westinghouse High School Championship Football Team, I am honored to accept this resolution; you know, a lot of times, the youngsters feel that they are neglected because they are not recognized. And when we get recognition from City Council, we also got recognition from the community, but when you reach outside the community and get recognition from City Council it means a lot. Thank you very much.

**Mr. Robinson:**

Mr. President, before Coach Webb leaves, I would just like to indicate that he was voted the top coach in the City of Pittsburgh, he is the Coach of the Year in City League Football and I think we ought to congratulate him for that.

APPLAUSE

**Mr. Flaherty presented**

No. 4531 WHEREAS, the courageous people of Poland are once again under the dark clouds of oppression; and

WHEREAS, they again must suffer in their historic precedent setting

struggle for basic human rights and human dignity, and free and independent trade unions; and

WHEREAS, the City of Pittsburgh is proud of its significant people of Polish ancestry and strong heritage of free labor unions, and

NOW, THEREFORE,

BE IT RESOLVED that the members of the Council of the City of Pittsburgh declare that they stand in solidarity with those of Polish ancestry.

The members of Council hope and pray that the powerful commitment of Lech Walesa and the millions of the Polish nation will prevail in keeping the fire of fundamental freedom alive in the Polish experience and spirit.

Which was read.

**Mr. Flaherty** moved for approval.

**Michelle Madoff** seconded the motion.

Which motion prevailed.

## REPORTS OF COMMITTEES

**Mr. Stone presented**

Bill No. 4524

Report of the Committee on Finance for December 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4416

Resolution entitled, "Resolution providing for the issuance of a warrant in

favor of Allied Chemical Corporation, P.O. Box 0360142, Pittsburgh, PA 15230, in the amount of \$568.34 in payment for additional charges for Alum during April and May of 1980 furnished for the benefit of the City and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4418

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Sargent Electric Company in the amount of \$26,393.21 in payment for work performed at Point State Park Summer Stage, furnished for the benefit of the city without previous authority of law and providing for the payment thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 4418 and also 4475, were they the same item Sophie? The summer stage — the Symphony Summer Stage and the Summer Stage.

**Mr. Stone:**

Two different payees.

**The Chair:**

Point State Park and the Pittsburgh Symphony.

**Michelle Madoff:**

Point Park Summer Stage and the other one is the Pittsburgh Symphony Summer Stage. I didn't know we had a Point Park Summer Stage. For some reason they both melted into one. Who paid for the summer stage, was there any grant or foundation or anything that paid for the one at Point Park?

**Mrs. Masloff:**

Yes, United States Steel built it.

**Michelle Madoff:**

Whoa -- that's the one at the point.

**Mrs. Masloff:**

Yes, well then these two are both the same thing.

**Michelle Madoff:**

It says Point Park Summer Stage and one says, Symphony Summer Stage.

**Mrs. Masloff:**

Yes, well, they are both the same thing.

**Michelle Madoff:**

Mr. Stone just said no.

**Mrs. Masloff:**

Aren't they Bob?

**Mr. Stone:**

No, I didn't say that. I said they were two different payees here, that's all I said.

**Michelle Madoff:**

Yes I know they are two different payees, but it is the same item. One says Point Park Summer Stage and one says Pittsburgh Symphony —

**Mr. Stone:**

Yes, but you said that I said something and I didn't say it.

**Michelle Madoff:**

I said, I asked Sophie if they were one and the same and you said no, they are two different things.

**Mr. Stone:**

I didn't say that.

**Michelle Madoff:**

Well, let's not go back to the beginning, are they one and the same?

**Mrs. Masloff:**

Yes.

**Michelle Madoff:**

And they were donated by U. S. Steel and we were given to understand

that it was a donation, is that correct?

**Mrs. Masloff:**

Yes.

**Michelle Madoff:**

Do you know what it cost the taxpayers for those stages Sophie?

**Mrs. Masloff:**

I'm not sure.

**Michelle Madoff:**

Four hundred thousand dollars, approximately. The bill came to something like a million dollars. Is that right Mr. Albert? I asked you for some figures today, was that the figure you gave me?

**Mr. Albert:**

Well, approximately.

**Michelle Madoff:**

Approximately then. The reason I bring it out Mr. Stone, Mr. President —

**The Chair:**

They each cost that much?

**Michelle Madoff:**

That's right. It came to in the neighborhood of one million dollars. I was looking for ways to cut and I was asking Mr. Albert for some specific figures on certain things and on grants. The reason I raise it is that we have a tendency in Council, when an item comes up to say, well, that looks like a great thing, let's go ahead and do it. I also learned elsewhere that that stage is supposed to come down in about four or

five years. Is that correct?

**Mrs. Masloff:**

No, no. It is my understanding that it is going to be there to be used by the citizens of Pittsburgh for other things besides the symphony.

**Michelle Madoff:**

I know, but I'm saying, how long will that stage last? I understand the life span of that stage is only good for about four or five years.

**Mrs. Masloff:**

No, I didn't know that.

**Michelle Madoff:**

Do you think it will last longer?

**Mr. Givens:**

The life span of it is steel and concrete, that is forever, as long as they maintain it.

**Michelle Madoff:**

There is no intention of taking it down?

**Mr. Givens:**

But it was to be a four year temporary site, and to be removed to a more permanent site, but one only has to look at how the stage has been placed there, I don't think they are going to be moving it.

**Michelle Madoff:**

Well what I am trying to say Mr. President, is that we have a tendency on this Council, because something looks good and say, well gee, its only four

hundred thousand dollars and we'll put up the stage, that is the kind of thing I would like to see a grants person going out and soliciting from the foundations, because it sounded like a bargain, it sounded like, My God, they are giving it to us, why shouldn't we take it. But in the real world it is costing us dollars and if I'm not mistaken, I think it is Capital dollars, is that correct? Its not operating budget.

**Mr. Albert:**

Capital dollars.

**Michelle Madoff:**

And that is money we borrow and we have to pay back at a very high rate of interest. And I think we see a lot of that and I think we ought to start watching it so that we don't get trapped in this Council into voting for things and then later learning what they are all about.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8                      NOES 1  
(MR. GIVENS VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the

bill passed finally.

Also,

Bill No. 4425

Resolution entitled, "Resolution transferring 1980 and 1981 Community Development Block Grant Funds to the General Fund of the City of Pittsburgh for reimbursement of salaries, wages, and fringe benefits paid to employees in support of the City's Community Development Block Grant Program from Code Account - CDBIS-4-15-10-0006-80-15-80-15 in the amount of \$221,522.57 and CDBIS-4-15-10-0006-81-15-81-15 in the amount of \$54,966.97 or a total of \$276,489.54."

Which was read.

Also,

Bill No. 4426

Resolution entitled, "Resolution authorizing the transfer of One Hundred Sixty Nine Thousand Seven Hundred Dollars and Forty-One Cents (\$169,700.41) from the 1980 Community Development Block Grant Program Trust Fund, Code Account CDHDS (HD-80-12) Project No. 4-15-10-0003-80-8-80-15 to General Funds, City of Pittsburgh, for reimbursement of Salaries, Wages and Fringe Benefits paid to employees in support of the City's Community Development Block Grant Program."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4437

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Air & Power Service Company in the amount of \$975.00 for repair parts and service to the EDPAC Air-Conditioning Unit; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)
AYES 9	NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4438

Resolution entitled, "Resolution providing for an Agreement or Agreements for consulting services to assist the City of Pittsburgh in acquiring Federal assistance and funding, and to work with various agencies of government for the benefit of the City of Pittsburgh; and providing for the payment of the costs thereof."

Which was read.

**Michelle Madoff:**

On Bill No. 4438 Mr. Stone, is that for a lobbyist?

**The Chair:**

That's Jeff Parker isn't it?

**Michelle Madoff:**

4438, that's a lobbyist, right?

**Mr. Stone:**

Okay, yes. Jeff Parker. We covered that on Wednesday.

**Michelle Madoff:**

Pardon me?

**Mr. Stone:**

Jeff Parker, I identified that on Wednesday.

**Michelle Madoff:**

Yes, I just want to make sure I

have the information correct before I vote. I think that we are kidding ourselves, we've got a part-time lobbyist, we have to get somebody full-time, it will more than give us our money back.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty

Mr. Givens

Mrs. Masloff

Mr. O'Malley

Mr. Robinson

Mr. Stone

Mr. Woods

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

(MICHELLE MADOFF NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4439

Resolution entitled, "Resolution providing for an Agreement or Agreements with various agencies for the implementation of the Comprehensive Employment and Training Act, Title IV, Subpart A, and providing for the payment of the costs thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the

bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4452

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Otis Elevator Company in the amount of \$6,973.11 in payment for elevator maintenance furnished for the benefit of the City, in connection with six (6) automatic elevators, City-County Building, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4453

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh, in the amount of \$323,778.57 in payment for construction work furnished for the benefit of the city in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, Central Branch, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4454

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Carnegie Library of Pittsburgh in the amount of \$15,531.93, \$200,000.00 and \$84,967.08, totalling in the aggregate \$300,499.01 in payment for construction work furnished for the benefit of the City in connection with the Unification of Maintenance Services and Technical Processing at Carnegie Library of Pittsburgh, Central Branch, and providing for the payment thereof."

Which was read.

Also,

Bill No. 4455

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Stanley Magic-Door, Inc., at an aggregate cost not to exceed \$3,500.00 for material and work performed on the automatic doors at the Ross Street entrance of the City-County Building and providing for the payment thereof."

Which was read.

Also,

Bill No. 4456

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of J. A. Kennedy Plumbing Co., Inc., in the amount of \$300.00; Rea Construction Co., Inc., in the amounts of \$230.00 and \$4,383.46 for an aggregate cost of \$4,613.46; and L.D. Astorino & Associates in the amounts of \$7,745.00 and \$1,055.00 for an aggregate cost of \$8,800.00 in payment for extra work performed in connection with the

construction of Arlington Fire Station #22 and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4462

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Atwood and Bates Construction Company in the amount of Twenty-Six Thousand Eight Hundred Forty-Two Dollars and Sixty-Seven Cents (\$26,842.67) in payment for 'Additional Work' furnished for the benefit of the City in connection with the Kennebec Street Sewer Reconstruction from Frank Street to Windsor Street; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4469

Resolution entitled, "Resolution providing for the issuance of a warrant in favor of Lewis & Coulter, Inc., 1225 Washington Blvd., Pittsburgh, PA 15206 in the amount of \$342.70, in payment for Repair of Two Pumps furnished for the benefit of the city and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Bill No. 4470

Resolution entitled, "Resolution transferring the aggregate sum of \$1,380,000 from the Water Fund to the General Fund and the following various code accounts within the Department of Water."

Which was read.

Also,

Bill No. 4471

Resolution entitled, "Resolution transferring \$8,000.00 from Code Account No. 1796, Salaries and Wages, Regular Employees, to Code Account No. 1700-1, Premium Pay."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:



Ayes:

Mr. Flaherty  
Mr. Givens  
Michelles Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4474

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Olan Cottrill, Jr., in the amount of \$1,000.00 in payment for work performed at Phipps Conservatory, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4475

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Tedco Construction Corporation in the amount of \$1,067.25 in payment for work performed at the Pittsburgh Symphony Summer Stage, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES 1

(MR. GIVENS VOTING NO)

And there being two-thirds of the votes of Council in the affirmative, the bill passed finally.

Also,

Bill No. 4476

Resolution entitled, "Resolution

authorizing the issuance of a warrant in favor of Thomas DiDiano Construction Company in the amount of \$4,380.00 in payment for work performed at Westwood Pool and Bathhouse, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4477

Resolution entitled, "Resolution authorizing the issuance of a warrant in favor of Pete Jeffrey and Associates, Inc., in the amount of \$1,141.00 in payment for equipment purchased for West End Shelter, furnished for the benefit of the City without previous authority of law; and providing for the payment thereof."

Which was read.

Also,

Bill No. 4501

Resolution entitled, "Resolution providing for the issuance of a warrant to Otis F. King and Johnnie Mae King, his wife, c/o Richard R. Isaacson, Esquire, 1906 Law & Finance Building, Pittsburgh, PA 15219 in the amount of \$7,400.00 and of a warrant to Ronald King in the amount of \$100.00 in full settlement of claims for personal injuries and providing for the payment thereof."

Which was read.

Also,

Bill No. 4502

Resolution entitled, "Resolution providing for the issuance of a warrant

to Mary Lou Steinmiller, c/o Bruce A. Carcia, Esquire, 505 Second Avenue, Pittsburgh, PA 15219, in the amount of \$4,000.00 in payment of claim for personal injury.

Which was read.

Also,

Bill No. 4503

Resolution entitled, "Resolution providing for the issuance of a warrant to Consolidated Rail Corporation, c/o Gary F. Sharlock, Esquire, 3090 U. S. Steel Building, Pittsburgh, PA 15219, in the amount of \$26,500.00 in full settlement of claim for water damage, and providing for the payment thereof."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And there being two-thirds of the votes of Council in the affirmative, the bills passed finally.

Also,

Resolution entitled, "Resolution amending a portion of Resolution No. 710, approved August 7, 1979, entitled, 'Providing for the lease of certain property at Allegheny Building, 17th Floor, Rooms 1701 through 1715, 2nd Ward, from September 1, 1979 for a term of thirty-seven (37) months at a rental of \$3,466.66 per month, to house the operations of the City's Employment Opportunities Pilot Program (EOPP) upon certain terms and conditions, and providing for the payment of the costs thereof."

Which was read.

**Michelle Madoff:**

On Bill 4505, I raised this issue Wednesday, why can't we take one of our city properties and rehab it? We've got, right in the back today, some two-and-a-half story houses, etc., etc., why can't we take a couple of our properties that are owned by the City, rehab them and not pay \$3,466 in rent? We just don't have the money anymore.

**Mr. Stone:**

This is the end of a lease.

**Michelle Madoff:**

I know, but I'm thinking about the future. And the same thing I'm going to have to vote on the stage; I already approved it not realizing —

**Mr. Stone:**

No Michelle, you are wrong on this one. This started in 1979, its burning out, it started September 1 of '79, its burning out. We've already been in that lease, they are just moving different people —

**Michelle Madoff:**

I'm suggesting that in future, the same as parking lots, the same as a lot of other things, we use our own facilities and our own properties that we've got on the tax roles anyway. There is no way I can vote against those items because I voted for that stage as I recall, I'm not just quite sure whether I did or not because I was given to understand it was an outright contribution. Its not so. And I think that we ought to be better informed in the future and I'm going to be sure to try to ask those questions, but with all of the items it is very difficult to get that information.

Also,

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.  
Bill No. 4506

Resolution entitled, "Resolution amending Resolution No. 683, approved July 17, 1981, entitled, 'Resolution providing for authorization and transfer

of funds to the 1981 General Fund of the City of Pittsburgh for reimbursement of indirect cost for the Community Development Block Grant Program for authorization to enter into an Agreement or Agreements with Arthur Young for professional services in connection with the development of the indirect cost schedule and providing for the payment of the cost thereof' by providing for extra work under such Agreement or Agreements in order to develop indirect cost schedules for fiscal years 1976, 1977, 1978 and 1979."

Which was read.

**Michelle Madoff:**

I think the figure is too high, I don't think this is a proper expenditure. I am voting no.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale (Pres't)

AYES 8 NOES none  
(MICHELLE MADOFF VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Givens presented**

Bill No. 4525

Report of the Committee on Public Works for December 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4413

Resolution entitled, "Resolution further amending Resolution No. 1269, approved November 3, 1978, effective November 6, 1978, as amended by Resolution No. 1411, approved December 14, 1978, effective December 19, 1978, as amended by Resolution No. 522, approved June 12, 1980, effective June 18, 1980, as amended by Resolution No. 725, approved August 6, 1980, effective August 14, 1980, as amended by Resolution No. 1156, approved November 6, 1981, effective November 19, 1981, entitled, 'A Resolution providing for an Agreement or Agreements with a Consultant or Consultants for Professional Engineering Services in connection with the design for replacement of the Bloomfield Bridge; and providing for the payment of costs thereof; and providing for a reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation,' by amending the project allocation."

Which was read.

Also,  
Bill No. 4414

Resolution entitled, "Resolution providing for a contract or contracts, or use of existing contracts, for concrete repairs to sidewalks, various locations;

and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4463

Resolution entitled, "Resolution providing for an agreement or agreements with the United States Department of Interior, Office of Surface Mining, and the Commonwealth of Pennsylvania, Department of Environmental Services, for the purpose of granting the Department of Interior and the Department of Environmental Services a right of entry into, over and upon certain lands owned by the City, and a license and right to conduct thereon an exploratory drilling project."

Which was read.

Also,

Bill No. 4464

Resolution entitled, "Resolution providing for an Agreement or Agreements with any or all of the following parties: the Boro of Greentree, the School District of Keystone Oaks, Paul Kossman, Commonwealth of Pennsylvania, Department of Transportation, and Don Ross, Jr., for any or all of the following: construction, maintenance, cost sharing, easements, tap-ins, fees, etc., for the construction of a sanitary and/or storm sewer, extending from Old Banksville Road through the private properties of Don Ross, Jr., the Commonwealth of Pennsylvania, Department of Transportation, Paul Kossman, Keystone Oaks School District, and the City of Pittsburgh property, to the City line at Greentree Boro, herein noted as Alpark Sewer."

Which was read.

Also,

Bill No. 4465

Resolution entitled, "Resolution providing for the taking of property in the 8th Ward, City of Pittsburgh, owned by Don Allen Chevrolet Company for the reconstruction of the Bloomfield Bridge and Approaches and authorizing payment of Just Compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

**Mr. Givens:**

Mr. President, I have no discussion, but I asked the Director here on Wednesday, that if that was the acquisition of all property required for the Bloomfield Bridge itself and the answer to that was yes and I found out previously that that is not so, so Mike, if we could direct a letter to the Department of Public Works asking them to explain all properties that must be acquired, what property owners they have approached and what assessment, if any, has been offered.

What is going to happen Mr. President, is that they have some properties that they haven't even asked the people for an asking price and we are going to go along and be ready to design a bridge and have it ready to go and find that there are one or two properties that haven't gone through the process of appeals, which will in fact, hold up the whole bridge.

Also,

Bill No. 4466

Resolution entitled, "Resolution providing for the taking of property in the 8th Ward, City of Pittsburgh, owned by Bearing Service Company, for the reconstruction of the Bloomfield Bridge Project and approaches and authorizing payment of Just Compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

Also,

Bill No. 4467

Resolution entitled, "Resolution providing for the taking of property in the 8th Ward, City of Pittsburgh, owned by George Berman and Sarah Berman, his wife, for the reconstruction of the Bloomfield Bridge and approaches and authorizing payment of Just Compensation and necessary and incidental acquisition and relocation costs related thereto."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff

Mr. O'Malley  
Mr. Robinson  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **Mr. Robinson presented**

Bill No. 4526

Report of the Committee on Planning, Housing & Development for December 16, 1981 transmitting one ordinance and sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4428

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 524 North Taylor Avenue, Block and Lot 23-J-269, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 4429

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 1218 Resaca Place, Block and Lot 23-K-85, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 4430

Resolution entitled, "Resolution providing for the Issuance of a

Certificate of Appropriateness for work to be done on the exterior of 1214 Monterey, Block and Lot 23-J-270, in the Mexican War Streets Historic District in the 22nd Ward."

Which was read.

Also,

Bill No. 4431

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 22 Graeme, Block and Lot 1-D-126, in the Market Square Historic District in the 1st Ward."

Which was read.

Also,

Bill No. 4432

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 25 & 26 Market Place, Block and Lot 1-D-130, in the Market Square Historic District in the 1st Ward."

Which was read.

Also,

Bill No. 4194

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article III, Chapter 921, Section 921.02, Zoning District Map No. 12, by changing from 'R4' Multiple-Family Residence District to 'I-C' Institutional-Civic District all that certain property bounded by: Terrace Street; Lothrop Street; the 'R4' Zoning District Boundary Line located north of Fifth Avenue and Darragh Street, 4th

Ward."

Which was read.

Also,

Bill No. 4195

Resolution entitled, "Resolution approving a Conditional Use under Section 993.01(a)A(8) of the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 993 to the University Health Center of Pittsburgh, Inc., and Eye and Ear Hospital for authorization to construct and expand certain hospital facilities on property zoned 'I-C' Institutional-Civic District as bounded by: Fifth Avenue; Darragh Street; Terrace Street and DeSoto Street, 4th Ward."

Which was read.

Also,

Bill No. 4493

Resolution entitled, "Resolution creating a special trust fund in connection with the reimbursement of Community Development Block Grant funds from various projects."

Which was read.

Also,

Bill No. 4494

Resolution entitled, "Resolution providing for the Issuance of a Certificate of Appropriateness for work to be done on the exterior of 441 Market Street, Block and Lot 1-D-149, in the Market Square Historic District in the 1st Ward."

Which was read.

Also,

Bill No. 4495

Resolution entitled, "Resolution amending Section 11 of Resolution No. 1228, effective December 31, 1979, as previously amended by Resolution Nos. 504, 635, and 1065 of 1980, and by Resolution Nos. 316 and 797 and 1201 of 1981, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the United States Department of Housing and Urban Development for a grant in connection with the 1980 Community Development Block Grant Program', so as to decrease line item PR-80-09, 'Burgwin Swimming Pool Design and Rehabilitation' from \$50,000 to \$33,600; and further, to increase line item PR-80-08, 'Ormsby Swimming Pool Rehabilitation' from \$30,000 to \$46,400."

Which was read.

Also,

Bill No. 4496

Resolution entitled, "Resolution amending Resolution No. 1046 of 1976, as amended, by Resolution No. 551 of 1977, as amended by Resolution No. 595 of 1978, as amended by Resolution No. 596 of 1978, as amended by Resolution No. 591 of 1979, entitled, 'Providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 1977 Community Development Block Grant Program', so as to change the title of 'PR-77-5' from 'North Side Ice Skating Rink, Design' to 'Clemente Park Rehabilitation'."

Which was read.

Also,

Bill No. 4497

Resolution entitled, "WHEREAS, the Council of the City of Pittsburgh has heretofore passed a resolution under the provisions of Section 993.01(a)A(10) of the Pittsburgh Code, for authorization to construct a Four-Story Front Wing and a Two-Story Rear Wing with a 40 stall parking area under the institutional facility provisions on property located on the southwest corner of Perrysville Avenue and Burgess Street, identified as Block 46-F, Lot No. 187 and Block 46-K, Lot 294 in the Allegheny County Block and Lot System, 26th Ward, City of Pittsburgh, in accordance with Conditional Use Application No. 459, and accompanying Site Plan dated 24 June, 1980, prepared by Hunter Heiges Sabo Douglass Rogers, Architects and Engineers, which are on file in the Office of the Zoning Administrator, Department of City Planning and which are incorporated herein by reference thereto."

Which was read.

Also,

Bill No. 4498

Resolution entitled, "Resolution approving execution of a Contract for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and Kingsley Associationn for the sale of Parcel B-2a in the Seventh Ward of the City of Pittsburgh in Redevelopment Area No. 10."

Which was read.

Also,

Bill No. 4499

Resolution entitled, "Resolution authorizing the Urban Redevelopment



Authority of Pittsburgh to transfer properties in the 12th and 13th Wards of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lot Nos. 125-L-24, 174-G-306, 175-C-308, 175-C-302, 174-B-302, 174-B-279, 174-B-149, 174-N-297 and 174-B-242, from the Great House Sale Program to the Residential Land Reserve Fund (Urban Homesteading Program)."

Which was read.

Also,

Bill No. 4500

Resolution entitled, "Resolution approving execution of Contracts for Disposition of Land by and between the Urban Redevelopment Authority of Pittsburgh and the listed redevelopers for the sale of the listed properties in the Thirteenth Ward of the City of Pittsburgh."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Michelle Madoff  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Woods presented**

Bill No. 4527

Report of the Committee on Supplies for December 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4472

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts, for the furnishing and delivery of three aurora series 410 horizontal split case, single stage centrifugal Pump for the Department of Water and for the payment thereof."

Which was read.

Also,

Bill No. 4489

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the furnishing and delivery of Power Rescue Tools for the Department of Emergency Medical Services and for the payment thereof."

Which was read.

Also,

Bill No. 4490

Resolution entitled, "Resolution providing for the letting of a contract or

contracts or the use of existing contracts for the furnishing and delivery of a Trench Rescue Trailer Unit for the Department of Emergency Medical Services and for the payment thereof."

Which was read.

Also,

Bill No. 4491

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the furnishing and delivery of Airshore Trench Jacks for the Department of Emergency Medical Services and for the payment thereof."

Which was read.

Also,

Bill No. 4492

Resolution entitled, "Resolution providing for the letting of a contract or contracts or the use of existing contracts for the furnishing and delivery of Hydraulic Rescue Rams for the Department of Emergency Medical Services and for the payment thereof."

Which was read.

Also,

Bill No. 4507

Resolution entitled, "Resolution providing for a contract or contracts for the furnishing, delivery and installation of Mailroom Equipment and Mailroom Furniture for the Department of Supplies; and providing for the payment of the cost thereof."

Which was read.

## **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## **Mrs. Masloff presented**

Bill No. 4528

Report of the Committee on Parks & Recreation for December 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4419

Resolution entitled, "Resolution providing for the taking of property in the 17th Ward of the City of Pittsburgh owned by Ormsby Land Company for Southside Riverfront Park and authorizing payment of Just Compensation and necessary and incidental acquisition costs related

thereto."

Which was read.

Also,

Bill No. 4420

Resolution entitled, "Resolution providing for a lease or leases and/or License agreements for the use of the facilities at 200 Tabor Street in the amount not to exceed \$8,400.00."

Which was read.

Also,

Bill No. 4478

Resolution entitled, "Resolution providing for a contract or contracts or the use of existing contracts for the repairs to various facilities including Paulson and Fowler Recreation Centers, and providing for the payment of the cost thereof."

Which was read.

Also,

Bill No. 4479

Resolution entitled, "Resolution providing for an Agreement or Agreements with the United States of America (U.S. Army Corps of Engineers), for financing the Non-Federal Cooperation in connection with construction by the United States of Emergency Streambank Protection on the Allegheny River at Pittsburgh, Pennsylvania; and providing for the payment of the City's share of the cost."

Which was read.

Also,

Bill No. 4480

Resolution entitled, "Resolution further amending Resolution No. 1558, effective December 31, 1978, as amended by Resolution No. 1072, effective December 5, 1979, entitled, 'Providing for a Agreement or Agreements with architects or engineers for professional services in connection with the design of various swimming pools and bathhouse in the Department of Parks & Recreation, and providing for the payment of the cost thereof,' by further decreasing the authorization from \$65,000.00 to \$56,980.00."

Which was read.

Also,

Bill No. 4481

Resolution entitled, "Resolution amending Resolution No. 1056, approved October 21, 1981, effective October 29, 1981, entitled, 'Resolution providing for a Lease or Leases and/or License Agreement for the use of certain property for Senior Citizen Facilities in an amount not to exceed \$55,000.00' by increasing the authorization to \$63,000.00."

Which was read.

Also,

Bill No. 4482

Resolution entitled, "Resolution amending Resolution No. 933, effective September 19, 1980, as amended, by Resolution No. 834, effective August 19, 1980, entitled, 'Providing for the letting of a contract or contracts for the replacement of the gym floor at Brookline Recreation Center; and providing for the payment of the cost thereof,' by further reducing the

maximum amount of the contract."

Which was read.

Also,

Bill No. 4483

Resolution entitled, "Resolution amending Resolution No. 1009, approved December 27, 1976, effective December 30, 1976, entitled, 'Providing for the letting of a contract or contracts for architectural, engineering and other Professional Services in conjunction with the 1976 Capital Improvement Program in the Department of Parks & Recreation, at a cost not exceeding \$85,000.00' by decreasing the authorization from \$85,000 to \$84,502.20."

Which was read.

Also,

Bill No. 4484

Resolution entitled, "Resolution further amending Resolution No. 407, effective May 1, 1981, as amended by Resolution No. 1194, effective December 1, 1981, entitled, 'Providing for an Agreement or Agreements with the Neighborhood Centers Association located at 1439 North Franklin Street and the URA so as to rehabilitate a Neighborhood Centers Association-owned Club facility. Carnegie-Mellon students will be used as volunteer architects & construction workers; by increasing the amount provided,' by changing one of the paying accounts."

Which was read.

Also,

Bill No. 4485

Resolution entitled, "Resolution amending Resolution No. 1331, approved December 12, 1980, effective December 17, 1980, entitled, 'Providing for the letting of a contract or contracts or the use of existing contracts for the Renovation of the West End Park Shelter, and providing for the payment of the cost thereof' by decreasing the maximum authorization from \$20,000 to \$19,199.00."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

#### **Mr. O'Malley presented**

Bill No. 4529

Report of the Committee on Public Safety for December 16, 1981 transmitting two ordinances to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4092

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Eight, Fire Prevention, Chapter 801, Adoption and Enforcement, by amending Section 801.09, Violation and Penalty, by changing certain fines."

Which was read.

**Mr. Givens:**

I have discussion on Bill No. 4092. It came through, and when I really got in to reading the bill itself I was somewhat concerned of the total amounts of fines that can be levied on anyone in violation of any fire prevention or adoption enforcement or violation, penalties, changes, fines, you name it. And my only concern is that \$1,000 less than \$100 and up to \$1,000 — I think the Fire Chief, when this bill came up, said that he would rather work on fire prevention than on trying to fine people. My concern is, and if we use the Mayor's budget of the average person out there in the City of Pittsburgh with a \$15,000 income and a \$15,000 home, if someone was so inclined, within two weeks under this particular bill, a person could lose their complete home and I have to appreciate that the people who will be administering this particular judgement are some of Pittsburgh's fines, but I hate to think of someone that might be irate to some degree and start imposing a fine that would be so great that even if it went to the courts for a final judication, that someone possibly could suffer severe damages, and the fact all violaters, as in d - b, "all violaters shall be required to correct or remedy the violations or defect within a reasonable time which shall be ten days, unless otherwise specified", again,

putting a very short time constraint on these people.

Twenty-five dollars in the enforcement of it, if one historically goes back and sees what our Fire Department has penalized, it has been very rare that the penalize. Again, using of the hypothesis, prevention is more than anything else. I have concern with this. I have concern that someone could be very seriously and financially damaged —

**The Chair:**

I think Mr. O'Malley was more concerned with the serious accidents and even deaths we have had because of the irresponsibility of —

**Mr. Givens:**

Right Jeep, I think if one would read the fire message that comes out annually from the City of Pittsburgh, we had traditionally, when I last reviewed them, to have some of the lowest death rates, some of the lowest damage rates, and the Chief so indicated because of their prevention program, I must say this, it is very strong and I'm afraid that — I would like to see some type of a clause after it goes so many days, you know, with this type of a restriction, and be brought to somebody's attention within government. Be it the Mayor's Office, the Council, someone of an elected authority to be sure that no citizen is unduly hampered or criticized. I guess what I am trying to say is I would like to maybe delay this particular bill until such time as we can discuss a little bit more at length, come the first of the year.

**Mr. O'Malley:**

I'd like to address Mr. Givens' concerns, that has nothing to do with

private homes at all Dick. This only refers to theaters and nightclubs for overcrowding and to restaurants for overcrowding, inadequate fire escapes, it covers blocked aisles in theaters and nightclubs where they put up additional folding chairs, in the case of an emergency people couldn't get to the exits, it covers exit doors being locked, inoperative fire extinguishers, fire escapes that with a large number of people on them, might collapse and fall, it has nothing to do with private homes.

**Mr. Givens:**

Well hold it, how can one, then that would be — it would seem to me, what — do you have a similar code for private homeowners then?

**Mr. O'Malley:**

Well, in a home, I've never seen an aisle in a home, where people would block an aisle, if you have a capacity in say the Stanley Theater for example, say 3,000 people, that would cover if they would put 3,500 people in there. There is no occupancy permit for a private home.

**The Chair:**

There is no comparison on that.

**Michelle Madoff:**

The idea is to save lives.

**Mr. Givens:**

My point is that even though it might be such an establishment as you have mentioned, some of them could be quite big, some of them small, family run businesses for example.

**Mr. O'Malley:**

The same code applies there, but

at the same time, if they would walk into a theater and they would find that the owners for a concert or a special event had the theater filled to capacity, and say sold an extra 300 tickets, they would be able to levy a fine that day, but as soon as the concert was over that situation would have been corrected. When it has to do with a locked fire exit door, they would be able to go in, now they have a choice, they could be fined every day or they could unlock the exit door. With expired fire extinguishers they would have to get them refilled. With overcrowding in nightclubs, they would have to make sure there were adequate exits. They would have to comply to the occupancy permits. And I think it is the type of legislation that once it is enforced, it might prevent the type of deaths that were seen in other cities. If it isn't enforced, we will never know whether it works or doesn't work, and hopefully it will work.

**The Chair:**

They have their work cut out for them. Just about every building in this City I have been in, their exits have locks on them. There is no way out of there if there is a fire.

**Mr. O'Malley:**

Dick, the big problem is this — if the Fire Department would find a number of violations they would give a citation and they would appear before the Magistrate and they would say, "I'm sorry and I didn't realize that the ushers didn't open the fire exit doors". Well that's fine, there was no big dramatic emergency. But say if there was a fire and 200 or 300 people got killed, then that excuse is not adequate.

**Mr. Givens:**

Well that's what the Fire Chief

was saying about prevention.

**Mr. O'Malley:**

That is what this bill is -- preventive legislation. If they enforce this legislation, then somewhere down the line we won't have to deal with the realities of an emergency.

**Michelle Madoff:**

That's right, this bill is long overdue and you should be really commended Mr. O'Malley. And I'm sure that you will be monitoring it.

**The Chair:**

Is there a warning involved first?

**Mr. Givens:**

Some come in and as you are indicating, you are talking about tentament houses, you're talking about apartment buildings, you are talking about structures that house probably 60% of the people in the City of Pittsburgh and if a person is going to receive a fine to the point of \$1,000 or \$500 a day, he just might tell all of his tenants please evacuate the building immediately, and now we've got a hell of a lot of relocation on our hands for people that have no place to go.

**Mr. Woods:**

Mr. President, I think this is a fine bill and I would like to see something come up where maybe it would go to residential homes, that we could enforce, because just in my neighborhood, within three doors of me, in the last ten days we had one home burn down which killed three young children; last night, and you might have seen it in the news, another one burned to the ground, fortunately it was vacant, but both of them were

apartment buildings. And there is not enough enforcement in the Fire Code.

**Mr. Givens:**

Well, I could tell you one thing very, very quickly -- did those buildings have any fire insurance on them?

**Mr. Woods:**

Mr. Givens, I don't give a damn if they were insured for whatever amount, there were three lives taken, two six year old boys and a twelve year old boy. Do you read the paper? Last night, people just bought another home, they were just remodeling, and it was burnt to the ground. Three doors from me, right across from each other. There is not enough prevention, not enough enforcement.

**Mr. Givens:**

My only concern is on the total fine -- if you get an errant inspector out there and he is going to zero in on one of your friends someday --

**Mr. Woods:**

A thousand dollars isn't going to bring back those three young lives.

**Mr. Givens:**

Nothing can bring back three young lives.

**The Chair:**

Well what do you do with someone who is violating the Code and refuses to conform, I mean --

**Michelle Madoff:**

You've got to make the penalty high enough.

**Mr. Givens:**

I like the bill, let's set the fines, I would like to see some mechanism in the fining, that when it reaches a particular level that some part of the elected officialdom of this City be notified, be it this Council, be it the Mayor's Office, or whatever the case might be, because of hardship that might be incurred. Period.

**Mr. Stone:**

Hold on — who do you think levies the fine?

**Mr. Givens:**

I would think it would be under the Fire Prevention or —

**Mr. Stone:**

Well you are incorrect, it is the Magistrate. They take it to a Magistrate and he has the right to go a fine, a minimum of \$100 up to a maximum of \$1,000 and he is listening to all the cases, they need that extra push in the case it is an abusive case. I don't think the problem is there that you are thinking about.

**Michelle Madoff:**

Call the vote Mr. President.

Also,

Bill No. 4508

An Ordinance entitled, "An Ordinance amending Ordinance No. 37 of 1981 to change all references therein to Chapter 611 of the Pittsburgh Code to Chapter 615 of the Pittsburgh Code."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Flaherty presented**

Bill No. 4530

Report of the Committee on Lands and Buildings for December 16, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4409

Resolution amending Item (I) of Resolution No. 1119, approved 11/11/81, for the sale of lots in the 20th Ward on Crosby Avenue, and Bousted Street designated as Block 35-N, Lots 216, 221, 223 to Joseph E. & Anna J. Downie, his wife, for the sum of \$550.00. Amendment is to delete plan lot #10,



from parcel 35-N-216.

Which was read.

Also,

Bill No. 4440

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4458

Resolution entitled, "Resolution providing for a license to Duquesne Light Company to install, use, operate, maintain and repair, renew and finally remove cables and wires over, along, across and through certain property of the City of Pittsburgh fronting on Brighton Road, 27th Ward."

Which was read.

Also,

**Michelle Madoff:**

On Bill 4458, can you explain that to me Mr. Flaherty? Something to do with Cable company television installation. I'm a little bit confused.

**Mr. Flaherty:**

It is in regard to Cable.

**Mrs. Masloff:**

It is?

**Michelle Madoff:**

Its, "A resolution providing for a license to Duquesne Light Company to install, use, operate, maintain, repair, renew and finally remove cables and wires over and along, across and through certain property in the City of Pittsburgh fronting on Brighton Road." What is —

**Mr. Flaherty:**

It is property that we own.

**Michelle Madoff:**

I know, but we are letting Cable go through it, is that it?

**The Chair:**

They are having a problem over there with rights-of-ways. The City doesn't own all that property.

**Michelle Madoff:**

It says to accomodate Cable Television installations, is what it says.

**The Chair:**

I said they are having some problems over there with some rights-of-ways, they want to acquire those rights-of-ways.

**Michelle Madoff:**

Are we charging Cable for it? Everybody else can charge, why can't we?

**Mr. Flaherty:**

To execute a license, it says.

**Michelle Madoff:**

Well, I just want to know, are we going to get any money for it?

**Mr. Givens:**

Michelle, I asked that same question and they come back --

**Michelle Madoff:**

Can we hold it a week and find out, would you object?

**Mr. Woods:**

Michelle, that's my neighborhood, I want Cable.

**Michelle Madoff:**

So do I, I'm in Squirrel Hill, I'd like Cable too.

**The Chair:**

You know what happened there Michelle? They went so far there and they quit installing, and the reason they did was because there were rights-of-ways they had to acquire, it was property the City didn't own. This bill is to achieve that purpose.

**Michelle Madoff:**

Are we going to get paid for it?

**The Chair:**

Well Duquesne Light is going to pay for it, and Warner --

**Michelle Madoff:**

It doesn't say anything about paying here.

**Mr. Woods:**

To get a license.

**Mrs. Masloff:**

But Warner pays Duquesne Light, and it is Duquesne Light that is asking for it, Warner has paid Duquesne Light for every wire that they use and every pole that they use.

**The Chair:**

All I know is all of those people down there, and Ben can verify, are screaming now because they didn't get their Cable TV.

**Michelle Madoff:**

Why don't we send this to Brother Richard, I'll send it to him and find out -- Mike, will you send it to him and find out what it is all about?

Mr. President, just a point of information, for the record, in today's sales of property, there is something like \$16,000 worth of properties being sold, you and I chatted earlier today, and you said that once and for all you want to get some information from Mr. Valaw of Lands and Buildings, as we discussed, Mr. Valaw is with the Tax Lien Office. I spoke to him through his aide, Eileen -- I forget her last name, it starts with a w -- and she is arranging for him to contact you and I talked to Mr. Brophy today --

**The Chair:**

I contacted Mr. Evers, and Mr. Evers and Mr. Valaw will both be here Wednesday at a Post Agenda and I would advise all Councilmembers to remain for that meeting, because this is the one that is going to bring it to a head, about this property that is so valuable in the City of Pittsburgh that we are not selling and not getting any money for. I'm not trying to be facetious, I think we ought to get it straight once and for all. Is

there property out there, if there is, why aren't we selling it.

**Michelle Madoff:**

I would like Mr. Brophy there and Mr. Evers and the new Director of Lands and Buildings, there is no point in bringing it to a head if they don't know what is going on. Is that allright with you Mr. President?

**The Chair:**

Okay. Mike, Mr. Evers, Mr. Valaw, Mr. Brophy and Mr. Smith.

Bill No. 4459

Resolution entitled, "Resolution authorizing the Mayor and the Director of Lands and Buildings to transfer all of the city's right, title and interest, if any, to the City owned property in the 22nd Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block and Lots: 8-M-10 and 8-M-25 to the Urban Redevelopment Authority of Pittsburgh in accordance with the North Shore Redevelopment Plan and Proposal."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods

Mrs. Masloff

Mr. DePasquale  
(Pres't)

AYES 8

NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4460

Resolution repealing Item (H) of Resolution No. 289, approved 4/18/80 for Lot on Middletown Road (20th Ward), designated as B & L 71-C-76, to Calvin & Jeanette Jemison, for the sum of \$2,000.00. Resolution is to cancel sale and return hand money to purchasers.

Which was read.

**Mr. Flaherty:**

Mr. President, I move to recommit Bill No. 4460.

**Mr. Givens** seconded the motion.

Which motion prevailed.

Also,

Bill No. 4461

Resolution entitled, "Resolution providing for the filing of a petition or petitions for the sale of certain property or properties acquired at tax sale in accordance with Act No. 514 of 1947, as amended."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. O'Malley
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale (Pres't)

AYES 8 NOES none

And a majority of the votes of Council being in the affirmative, the bills passed finally.

## MOTIONS AND RESOLUTIONS

**Michelle Madoff:**

Mr. President, there is an article in this morning's paper —

**Mr. Stone:**

Wait a while, we'd better get some technical stuff done first.

**Michelle Madoff:**

Well, don't we do that as the last order of business?

**Mr. Stone:**

In accordance with Section 322 of the Home Rule Charter, Publication and Effective Date of Legislation, I move that the effective date on all bills passed today shall be December 31, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**Michelle Madoff:**

It was in this morning's paper, there is an article, a crying need for corporate citizenship, and what it does is reaffirm, just about, what I've been repeatedly saying in letters to the Mayor and this Council, about industry giving very little money for charitable contributions, and taking up their slack and their responsibility. I would like to see a copy of this letter go to every foundation and grant in this City with a letter from this Council. If the Council doesn't want to send one I will be happy to sign it myself and put a letter, asking that they do what is suggested here in helping this community as other communities are doing.

**Mr. Givens:**

What is the schedule for tomorrow, may I ask?

**Michelle Madoff:**

I haven't finished my resolution, do you mind? Don't be ridiculous, you'll find out when you get here, like we did this morning.

**Mr. Givens:**

Please, I've asked a question.

**Michelle Madoff:**

I still haven't moved on my resolution.

**Mr. Givens:**

If we ask the President of Council we might get an intelligent answer.

**Michelle Madoff:**

We might, but not likely. Mr. President, we are not through with this

resolution.

**The Chair:**

Mr. Stone, what is the agenda tomorrow?

**Mr. Givens:**

I'm here all the time anyway, it doesn't make a difference.

**Michelle Madoff:**

Under Robert's Rules, I would like to finish with this resolution. I would like to make a resolution that we send it to the corporations of this City, if we don't want it as a resolution, just as the will of Council, the will of the President, to see what we can do to generate some revenue.

**Mr. Flaherty:**

Mr. President, I am opposed to it

**The Chair:**

Wait a minute, first of all let's see if we can get a second. Is there a second to the resolution? There being no second it fails, do you still want to second it?

**Michelle Madoff:**

I'll do it myself, its okay.

**Mr. Stone:**

Mr. President, on the Budget Schedule, it indicates tomorrow we will cover revenues, surplus of '81 and taxes, in a general consensus. I am hopeful we will have that ready by 10:00 o'clock tomorrow morning. If we do not have it by 10:00 o'clock tomorrow morning, we will have it by 2:00 o'clock tomorrow afternoon. They can call in, I will try to

let Mike know as soon as possible. I had some difficulties over the week with our computer, but I am hopeful still may meet that 10:00 o'clock appropriate time though.

**Michelle Madoff:**

Question, is that the last stage of the Budget tomorrow, before final vote?

**Mr. Stone:**

There will be a Wednesday meeting on the specific tax ordinances.

**The Chair:**

Wednesday is the final vote right?

**Mr. Stone:**

No, that will be a committee meeting on it and the final will be next Monday.

**The Chair:**

Okay.

**Mr. Stone** moved to approve the minutes of Monday, December 14, 1981.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.



# Municipal Record

## Proceedings of the Council of the City of Pittsburgh

VOL. CXV

MONDAY, DECEMBER 28, 1981

No. 50

### Municipal Record

#### ONE-HUNDRED TWENTY-FIRST COUNCIL

EUGENE P. DePASQUALE.....President  
MICHAEL PERRY .....City Clerk  
WILLIAM F. McCRAY...Asst City Clerk

Pittsburgh, PA  
Monday, December 28, 1981

#### PRESENT:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

The meeting was opened by the recitation of the pledge of allegiance to the Flag of the United States of America.

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.

#### REPORTS OF COMMITTEES

Mr. Stone presented

Bill No. 4533

Report of the Committee on Finance for December 23, 1981 transmitting sundry

ordinances and resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4504

Resolution entitled, "Resolution providing for an Agreement or Agreements for professional services of a CETA Hearing Officer as a requirement of the grievance process under the Comprehensive Employment and Training Act Equal Employment Opportunity provisions and providing for an Agreement or Agreements for court reporting services and preparation of transcripts of testimony to be taken of CETA grievance hearings and providing for the payment of the costs thereof."

Which was read.

Also,

Bill No. 4273

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 241, Amusement Tax, Section 240.05, Collection and Payment of Tax, by re-including penalty and interest provisions."

Which was read.

Also,

Bill No. 4274

An Ordinance entitled, "An Ordinance

supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 251, Occupation Privilege Tax, Section 251.03, Collection through Employers, by adding a subsection providing penalties in the event of noncompliance by employers."

Which was read.

Also,

Bill No. 4276

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 243, Business Privilege Tax, Section 243.02, Tax Levy and Rate, by increasing the rate of tax."

Which was read.

#### **The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
	(Pres't)

AYES 8                      NOES none  
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4277

An Ordinance entitled, "An Ordinance further amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 246, Home Run Earned Income Tax, Section 246.01, Imposition of Tax, by increasing the rate of tax." (AS AMENDED BY THE COMMITTEE)

Which was read.

#### **The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7                      NOES 1  
(MR. GIVENS VOTING NO)  
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

Also,

Bill No. 4278

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 249, Mercantile License Fees and Tax, Section 249.04, Tax Rate, by increasing the rate of tax." Which was read.



Also,

Bill No. 4279

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate; Compliance, and Section 253.06, Collection, by changing the rates of tax, penalty and interest."

Which was read.

Also,

Bill No. 4280

An Ordinance entitled, "An Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal, Article VII, Business-Related Taxes, by adding Chapter 256, the Home Realty Transfer Tax."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8 NOES none  
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4281

Resolution entitled, "Resolution amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax, Section 1, Levy and Rate on Lands and Buildings, by imposing the Real Property Tax for 1982." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4282

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Three, Water, Article V, Rate, Charges and Uses, Chapter 331, Usage Rates, Section 2, by changing the rates."

Which was read.

Also,

Bill No. 4283

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title Three, Water, Article V, Rates, Charges and Uses, Chapter 332, Unmetered Water Rates, by changing the rates."

Which was read.

**The Chair:**

Is there any discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Stone
Mrs. Masloff	Mr. Woods
Mr. O'Malley	Mr. DePasquale
Mr. Robinson	(Pres't)

AYES 7 NOES 1  
(MR. GIVENS VOTING NO)  
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Also,

Bill No. 4361

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One - Administrative, Article III, Organization, Chapter 121, Department of City Treasurer, and Article XI - Personnel, Chapter 193, Bonds and Insurance, Section 193.01, Bonds of Officers and Department Heads, by restructuring the Department of City Treasurer as the Department of Finance; substituting the title 'Director of Finance' for 'City Treasurer'; providing for a Deputy Director of Finance/City Treasurer; authorizing either the Director or Deputy Director/City Treasurer to sign checks; recognizing that the Deputy Director/City Treasurer shall also serve as Treasurer for the School District of Pittsburgh; and requiring both the Director of Finance and the Deputy Director/City Treasurer to give bond in the amount of \$200,000.00."

Which was read.

Also,

Bill No. 4366

An Ordinance entitled, "An Ordinance amending the Pittsburgh Code, Title One - Administrative, by repealing Chapter 129 - Department of City Development, Chapter 131 - Department of Housing and Chapter 177 - City Development Commission."

Which was read.

Also,

Bill No. 4367

Resolution entitled, "Resolution providing for an Agreement on Agreements with the Urban Redevelopment Authority of Pittsburgh for its assumption of the administration of programs formerly administered by the Departments of City Development and Housing." (AS AMENDED IN COMMITTEE)

Which was read.

Also,

Bill No. 4521

Resolution entitled, "Resolution repealing Resolution No. 1253, approved December 3, 1981, effective December 11, 1981, entitled, 'Resolution transferring \$2,538,010.59 from Special Trust Fund #2, Real Estate Refund Trust Fund, to the General Fund, MNOC.'"

Which was read.

Also,

Bill No. 4523

Resolution entitled, "Resolution providing for the filing of an application by the City of Pittsburgh with the U.S. Department of Housing and Urban

Development for a grant in connection with the 1982 Community Development Block Grant Program; providing for the execution of Grant Contracts and for the filing of other data; providing for required assurances; providing for execution of payment vouchers on Letter of Credit and for certification of authorized signatures; creating a Special Trust Fund in connection with the Project; providing for the deposit of the funds in a bank account; and providing for the payment of expenses within categories."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Michelle Madoff:**

I have a question. These are the bills that were just read, that we are going to vote on today, they are going to move to vote on them today, is that correct Mr. Stone?

**Mr. Stone:**

Yes.

**Michelle Madoff:**

I don't see how we can vote on them as a total, because there are some that we approve and some we disapprove, I would like to vote on them independently.

**The Chair:**

Which ones did we disapprove?

**Mr. Stone:**

Vote down on each one that you want to vote down.

**Michelle Madoff:**

We went through them like greased lightning, I think we have to take them each separately.

**The Chair:**

No way. Those that you are opposed to, take them out —

**Michelle Madoff:**

I know but this is the budget -- the end of the year budget, and I have no objection to the combination of the Department of Planning -- excuse me, the Department of Development with Mr. Brophy, but I certainly have a lot of objections to some of the expenditures and I don't see how you can just go through them all and say which ones you object to and make a speech on each one, I think it is much easier to take them individually.

**The Chair:**

Michelle, this is a final vote and even if they were voted against in the Committee meeting, we still have a final vote today. You vote them up or down, you are entitled to discussion, but your only choice is to vote no or aye.

**Michelle Madoff:**

That's what I am saying and I would like to take them individually.

**Mr. Stone:**

Call the question.

**Mr. Givens:**

Mr. President, I have comments on the vote itself, when it comes up, and I will make my comments then.

**Mr. Flaherty:**

I have a question in regard to Councilman Stone. As I am sure that we are all aware, the City is involved in negotiations under the capable hand of Judge DelSole, with the Pirates. It is my understanding that some kind of agreement is soon to be resolved, and I was wondering, since Council will have to approve any agreement, if there is any appropriation or sum that is included in the budget, somewhere, that this Council may be asked upon in the future to utilize in regards to the maintenance of the Stadium.

**Michelle Madoff:**

You mean as an expenditure Mr. Flaherty?

**Mr. Stone:**

I don't know where the agreement is at this point Tom. I am told that the Judge has it, I am told who everybody involved is sworn to secrecy, and I don't know myself, of any terms of conditions of any agreement, and until we get it I don't know that we can act on it at this point, frankly.

**The Chair:**

If I may interrupt, Council will have the final say on that Mr. Flaherty. If there are any expenditures that the Mayor agrees to go along with, we will have the approval or disapproval.

**Mr. Stone:**

Wait a while, I think his point is — the bills —

**The Chair:**

I understand what he is saying, it could affect the budget considerably.

**Mr. Stone:**

Yes, but the bills that are before us now have nothing to do with that issue.

**Mr. Givens:**

I think what Tom is trying to say is if there is no Contingency Fund set up in this budget in case the City of Pittsburgh might have to pay additional money.

**Mr. Flaherty:**

Well, I'm asking that question.

**Mr. Givens:**

I just have one question. On some of the union negotiations and the contracts, could our Finance Chairman give us some enlightenment on that, is there enough of money appropriated in this budget to cover all of their contractual agreements to this date that you are aware of, either by writing or verbal.

**Mr. Stone:**

All agreements that have been made to date, there is enough money to cover them. All agreements that have not been completed, there is still money there, it is my understanding that where the negotiations are now, that there should be sufficient monies in that collective bargaining contingent account to cover them.

**Michelle Madoff:**

Mr. President, may I ask a question? I think that Mr. Flaherty is in order because what we are voting on today is the budget, whether we are taking it piecemeal or in total, and what he is asking, if I understand him

correctly, is will there be the revenue we anticipate or will we indeed have expenditures that the City will be called upon to make.

**Mr. Flaherty:**

Right, is it in Debt Service.

**Michelle Madoff:**

Right, Debt Service. After doing some research on the subject, from very reliable sources, and since I am entitled to an opinion, I have been told that if indeed, we repair the Stadium, and waive on our binding contract, what we may find, what we will probably find is that the team will be sold. If we don't waive on the contract, if we don't give at all, then they have nothing to sell and if they have nothing to sell, they will stay here. So we are in a no-win situation; if we agree to meet the terms by saying, "Well, there are some repairs needed, because if we don't repair it and another team comes in we will have to repair it for them." Very reliable sources, as a matter of fact, the sources offered to negotiate to act as an intermediary on this contract, and this very knowledgeable person has stated that if indeed, we bend and say yes, we will release you from the binding contract you have with the City, then it is a negotiable contract they can be sold. Right now nobody will buy the team because they are bound to the contract of the City. So we may be in great financial trouble Mr. Flaherty, and I think that these are the kind of things that Council ought to be talking about. Three months ago, four months ago — but we don't talk about them because we are not given that opportunity.

**Mr. Stone:**

Move to call the question.

**Michelle Madoff:**

The question we are calling is what? To vote on the budget in its entirety?

**Mr. Stone:**

To vote on the bills that are there.

**Mr. Givens:**

The normal bills that are always before us —

**Michelle Madoff:**

I know but they address the budget.

**Mr. Givens:**

I vote aye on all bills with the exception of 4277, 4281, 4282, 4283.

**Michelle Madoff:**

Instead of going through a litany of that type, I will just abstain and make a statement later. Mr. President, are we going to have a vote before the final — are we going to have discussion —

**The Chair:**

This is it young lady — this is the vote, you had discussion, we are on the vote.

**Michelle Madoff:**

No, this is the final vote on the budget in its entirety?

**Mr. Stone:**

Wait, we are getting these bills out of the way and then we will come to the bills we covered at the committee meeting, on which I will make a

statement, and then after that if you want to talk, you can talk all day.

**Michelle Madoff:**

I want to be sure that it is correct because the last time I asked if it was a final vote I was told that it was and then I said, "Well, how can we vote on garbage —

**Mr. Stone:**

It is a final vote on those items.

**The Chair:**

On the ones that were read.

**Michelle Madoff:**

I was told that it was a final vote and I said, "Well, how can we vote on the Refuse Department", and I was told, "Oh, that we will take up tomorrow", but this was already a final vote, and then one of the reporters said to me, "No, no, you misunderstood — it is a final vote but it is not a final vote, we are going to take it up tomorrow". I want to know what I am voting on and I want it clarified. Maybe I am a little slower than the rest of my esteemed colleagues but I think I am a lot brighter than some of the people.

**The Chair:**

Michelle, you are voting on the bills that were read, it is as simple as that.

**Michelle Madoff:**

I'm going to abstain on them for the reasons stated.

**The Chair:**

Is there any further discussion on

the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mr. Givens  
Mrs. Masloff  
Mr. O'Malley

Mr. Robinson  
Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 8 NOES none  
(MICHELLE MADOFF ABSTAINING)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

**Mr. Stone:**

I move the suspension of Rule 8 for all Committees providing for the mailing of printed copies of all ordinances and resolutions to each member of Council at least 48 hours previous to their consideration by Council, after the return of such papers from Committee.

**Mr. Woods** seconded the motion.

Which motion prevailed.

**ALSO**

Bill No. 4536

Report of the Committee on Finance for December 28, 1981 transmitting sundry resolutions to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4358

Resolution entitled, "Resolution making appropriations to pay the expenses of conducting the public business of the City of Pittsburgh and for meeting the debt charges thereof for the year beginning January 1, 1982."

Which was read.

Also,

Bill No. 4359

Resolution entitled, "Resolution fixing the number of officers and employees of all departments of the City of Pittsburgh and the rate of compensation thereof for the year beginning January 1, 1982."

Which was read.

Also,

Bill No. 4522

Resolution entitled, "Resolution adopting and approving the 1982 Capital Budget and the 1982 Community Development Block Grant Program; and approving the 1982 through 1987 Capital Improvement Program."

Which was read.

**Mr. Stone:**

In 1979 and 1980, I labelled the City Budget "the Band-aid Budget". This characterization was depicted on the covers of the budgets.

Last year I predicted the 1981 Budget would be "the Tight Budget", that is, it was a bare bones budget with no meat and carrying only essential city services. In fact the budget was so tight there was no artwork on the cover.

Even though 1981 was a "tight year", we managed to weather that period, far better, than we anticipated.

The 1982 budget will also be a "tight budget". In fact, budgets for the next few years — will also be tight!

But today — there is hope!

Therefore, there will be no band-aid affixed, nor will the cover be free of artwork. Instead, we shall retain the present cover, for two reasons. First, much has been done — in this era of spiralling inflation to live within our means, more than most will see or even realize, and secondly, the picture says much.

From this view (from the South Side no less) one sees "with prayer there is hope".

As one looks at this City, one can predict that the future will be filled with a great deal of hope, and expectation!

While most cities, particularly those in the northeast, are being traumatically impacted on by the "fiscal course of the day", they don't see that "light at the end of the tunnel".

But Pittsburgh does! There are still a few years of tight budgets for this City, but in the not too distant future — there is renewed "financial life" ahead, as the fruits of Renaissance II come to fruition.

But in order to "weather the fiscal storm", this City must still exercise great caution!

Part of the responsibility for exercising care rests with Council. We met that responsibility by, this Council with our Budget Staff, making a complete, in-depth review of the Mayor's 1982 Budget Proposal.

Here are the highlights of our review of the Mayor's Budget Proposal:

In years past, Council cut vacant positions from the Mayor's Budget proposals. This year, the Mayor, in anticipation of Council's actions or not, cut 196 vacant positions from his proposal.

In addition, our manpower -- for police, fire and environmental resources -- is set at a minimum level.

In looking at the Mayor's proposal we found it impossible to cut job vacancies further without eating into essential City services.

Therefore the 1982 Tax Operating Budget remains tight. With the present and future cuts predicted on the federal and state levels, it would be wrong to loosen those reins.

To understand the dilemma faced by the Administration and by Council one need only be aware of some very basic facts.

Even with a bare bones minimum of police, fire and environmental resources employees -- than Council or the citizens want -- the deficit between last year's Budget and the Mayor's proposed Budget is \$48.9 million, made up as follows:

a.) Salaries and Wages	9.2 million
b.) employees fringe benefits	<u>8.5 million</u>
	17.7 million
c.) decline in 1982 Tax revenues	<u>13.06 million</u>
	30.76
d.) utility increases	<u>2.9 million</u>
	33.66
e.) garage	<u>1.00 million</u>

	34.66
f.) equipment for police, fire, etc.	<u>1.7 million</u>
	36.36
g.) Debt Service	<u>8.2 million</u>
	44.56

Plus

h.) non-departmental costs	<u>1.3 million</u>
	45.86

i.) other departmental non-salary expenditures

2.2 million

j.) water charge

.9 million

48.96 million

One can clearly see, that even with decreased manpower, these appropriations are fixed and -- we are locked into them!

We also do not have the luxury of 1000 CETA workers nor CETA (Federal Funds) paying for City budgeted positions, as in the prior administration.

The Mayor in his budget, proposed curbside refuse collection. If this were not done, the deficit would have been even higher!

The toughest decision Council had to deal with -- was the matter of "curbside refuse collection".

Council is unanimous in its desire and preference -- for the retention of the same removal service.

But -- this Council was faced with some rather startling costs!

To retain the same service in 1982, as we had in 1981, it would be a minimum addition of \$1.2 million, for wages alone.



But -- even more earthshaking, was the disclosure that 23 employees, that is -- 1 of every 17 -- are now on partial disability; and one out of every 6.2 are on the inactive list as a result of the present refuse removal system. If the same system is retained, they will not be able to return to work, and the additional projected burden -- workmen's compensation just for these 23 employees -- would be an additional \$8 - \$10 million.

If we keep the same system we face the high probability of even more workers becoming disabled.

Council -- like the Mayor, was faced with a hard decision. It is not what we want, but rather, what this City can afford!

"Curbside refuse collection" is not new to most metropolitan cities, but it is to Pittsburgh.

Changing the system will bring many problems in adjustment!

That is why Council has asked the Director of Environmental Services, his staff, and employees to...inform the people, well in advance of their plans...to go to the homes to see the people and problems...to use "curbside" in the rear of the property, where possible and...to report, periodically to Council, about the progress and problems in implementing the change.

Disabled persons -- will not be required to place their garbage at curbside. They will be exempt, and their prior service will continue.

Council appeals to all citizens for their fullest cooperation!

An additional burden of 8 - 10 million plus dollars, in the future, will be

a greater burden, than carrying a few bags, today!

In our review of the Mayor's Budget proposal, we did see a "spark of brightness"!

Council looked at the projected surplus for 1981, and the projected revenues for 1982.

A review of the surplus, as of December 22, 1981, reveals a surplus of \$8 million -- \$3.9 million dollars more -- than the Mayor had projected November 8, 1981.

Council's review of the projected revenues for 1982 reveals potential revenues of -- an additional \$11 million.

The Mayor, following the presentation of his Budget Proposal, increased the Appropriations by \$1.6 million and Council then increased the appropriation by an additional \$4.323 million.

The difference between the unanticipated surplus and revenues and the increased appropriations was \$9.057 million. That meant Council then could cut the Mayor's \$48.9 million deficit by -- \$9.057 million.

Council then made the following cuts, in the Mayor's recommendation:

1. the requested Earned Income Tax increase was cut by 1/8th of 1% - 2.5 million.

2. the requested Real Estate Tax increase was cut by 8 Mills: - 6.557 million

**NOTE:** the Mayor's proposed tax increase on Buildings was cut from 15.25 mills to 7.25. However, Council shifted some of the Real Estate Tax on Building to Land. Council increased the Land Tax by 7.5 Mills.

To summarize, the Mayor's \$48.96 million deficit was cut, by Council, by \$9.057 million in 1982.

It is now necessary to mention, in detail, Council's increases of \$4.323 million in 1982 Appropriations, and why those increases are important.

### 1. Police and Fire and Municipal Retirees

Last year, in our Budget message, we stated the following:

"These individuals have given their full and productive lives to the City of Pittsburgh. They had little or no pension in the olden days and no early Social Security options. Even with the introduction of Social Security, Social Security opportunities were either not available for them, or these options were not made in such fashion to permit an intelligent selection by employees. As a result, the large portion of these employees still get less money than the minimum standards set by the Department of Public Assistance.

Council in 1980 granted at \$25.00 per month increase to our Police, Fire and Municipal Retirees — to assist them in their medical insurance protection, so that their status in life was not further aggravated."

Regrettably, in 1980, that increase had eroded and now in 1981 their plight was even worse.

Since this matter could not be addressed last year, it had to be addressed this year!

Starting in 1982 the pensions for all police, fire and municipal retirees will be increased \$25.00 per month.

While \$25.00 is at best, a meager

sum, it is Council's belief that this increase will go a long way, to alleviate some of the problems that all City pensioners face.

### 2. City Pension Fund.

The City of Pittsburgh Pension Funds are actuarially out of balance. This unsoundness works adversely against the City's bond rating.

Council's Finance Chairman has been working with the Mayor and with the Treasurer in attempting to address this problem.

Through these joint efforts, a decision was made, that the Pension Funds would no longer be burdened by the addition of new employees in 1982 or thereafter.

\$160,000 was then placed into the Mayor's Budget Proposal — to fund the obligation of any new employees hired in 1982. This is particularly important in the police and fire pensions, in that the unfunded pension problem will not get any worse, in fact, it will now decline.

We still have an actuarial problem with present employees. To help alleviate the problem, Council appropriated an additional \$1 million to the old unfunded Pension Funds.

While this is a large sum of money, it is a small sum, compared to the unfunded pension balance.

It is, however, a major step forward because not only are we recognizing the problem, we are also doing something about it.

This effort should aid our bond rating, and hopefully reduce some future interest costs in City financing.

### Real Estate Refund Indebtedness

In 1981, the County Assessors and/or appeals to the Courts cut the City's real estate appraisal values.

The City was faced with the need of \$10 million to pay for those tax refunds!

Although court approval was requested and granted, and a commitment was approved for \$10 million — only \$5 million was borrowed.

The other \$5 million excess is no longer needed, but the debt is still carried at \$10 million and if the note obligation were continued, interest would have to be funded at \$700,000 in 1982.

Council, with the advice of the Treasurer, released the bank from the additional commitment, and thereby — released the City of the \$700,000 potential interest obligation — in 1982.

In addition, Council appropriated an additional expenditure — the payment of \$1.2 million — to further reduce the present outstanding \$5 million obligation.

Therefore, instead of the City having an obligation of \$10 million — the balance owed is now, only \$3.8 million!

This responsible action should likewise act favorable in a bond rating review.

### Real Estate Tax Refunds Trust Account

Tax assessment changes and court reductions of assessments still yearly adversely affect all municipalities.

The Mayor and this Council therefore, felt the need to address the potential liability prudently, by setting up, for the first time, a tax refund trust

account in this Budget — to meet the 1982 tax refund eventualities.

Council created a present fund of \$1.6 million, to meet those eventualities.

### Emergency Medical Services Personnel

Our Emergency Medical Services program is an excellent program. It is perhaps one of the country's best!

What began as a \$1 million a year program, is now costing the City of Pittsburgh \$4 million, annually.

During Budget deliberations, in order to address the increased expenditures, the Director of EMS proposed some shifting of services. Council was concerned by this shifting of services.

In order to avoid any diminishing in the quality of EMS services, Council placed six additional First Year Paramedics in this year's Budget.

To summarize, Council still needed revenues of \$39.903 million to balance the 1982 Budget deficit. Finding the sources of revenues is always a difficult task.

Council approved the Mayor's tax package in all but two areas.

It approved the following tax increases: Business Privilege...1 Mill, Mercantile - Retail...1 Mill, Parking...5%, Deed Transfer...1/2%, and Water Rates...50% (across the board).

Council did not approve the Mayor's proposed tax increase for Earned Income and Real Estate Tax.

Council is aware that the tax burden of the average City wage earner is heavy.

That is why Council felt the need for some relief and cut the proposed Wage Tax increase by 1/8th of 1%.

We are also mindful, that in 1982, that the Federal Income Tax burden has been cut by 10% of the wage earner's federal tax obligation.

Taking Council's and the federal government's actions together, there is a lessening of the 1982 burden on the City wage earner.

Although Council cut 8 Mills from the Mayor's Budget proposed tax increase on real estate, there is still a 7.25 Mill increase on buildings. Council shifted some of the Property Tax burden to the Land Tax where 20% of the Land Tax is borne by the residential landowner and 80% by the commercial/industrial landowners.

We are also mindful that in 1982, that while the County of Allegheny would increase the Real Estate Tax by 1 Mill, that the School Board of the City of Pittsburgh will reduce the Real Estate Tax burden on City residents by 5 Mills.

In addition, senior citizens and/or people on fixed and low or moderate income, will receive additional help!

Under the state lottery provision, persons making under \$9,000 still qualify for a maximum of \$400.00 in Real Estate Tax/rent and utility rebates. Legislation is proposed to increase both the minimum income level and the maximum benefits — in 1982.

On balance, Council's actions and the actions of the School Board and State Lottery will minimize the burden to residential landowners — this year.

Last year, we stated that the "tax base of this City needed to be

redesigned".

"This City should not look to others to pay its bills, but this City must not alone be saddled with the responsibility of carrying more than its fair share".

We strongly recommended a request for a more equitable tax base from the State Legislature.

Last year, the Mayor testified and presented his tax package to the Tax Commission set up by the Governor, and I, as Finance Chairman, also met with Professor Cyert of Carnegie Mellon University, who was its then Chairman.

The Mayor proposed a tax on non-City residents wages and in the interim an increase in the Occupation Tax of \$40.00. We agreed with that proposal but with one caveat — that a tax on non-City resident/wage earner be limited to a maximum of one-half of the tax imposed on a City resident wage earner. This method would provide "controls" and make it more "saleable" to the legislators.

The recommendations of the State Tax Commission were not accepted nor implemented!

The Mayor this year renewed his efforts, in the State Legislature for tax relief for City residents.

We applaud the Mayor's efforts and believe the cause is just! A sense of heightened responsibility should outweigh any provincialism that exists.

This City of Pittsburgh funds 100% — the 3 Rivers Stadium, the Aviary, the Zoo, and other facilities.

In addition, a City resident pays as — a City resident and also as a County

resident — for the Auditorium Authority, the Carnegie Library and Carnegie Institute.

Statistics reveal that these facilities mentioned — are used more by non-City residents than by City residents.

The statement that a non-City resident brings in City tax revenue by "buying a hotdog at 3 Rivers Stadium" is meaningless, because the City resident — buys a similar hotdog for the same price, but only the City resident pays for the Stadium, so that that vendor has a place to sell the hotdog — to both!

The City has, and will spend millions and millions of dollars on its infrastructure, the roads, and other capital improvements to accompany the many new buildings in the City.

Shortly, those big buildings will be completed and big "Help Wanted" signs will go up! There will not be any residency requirements for employment in any of these new buildings. Two of every three workers in the City of Pittsburgh is a non-City resident. It is expected that that same ratio will prevail in the new buildings!

City police, fire and EMS personnel protect — life, limb and property of City and non-City residents — but City residents alone pay the tax needed to support these expensive programs.

Over one-third of the city's property is tax exempt. Those tax exempt properties house our major universities and hospital complexes. This burden is carried by City residents even though the Universities serve an international clientele, and the hospitals — for the most part — serve the tri-state area.

Because of our terrain, hardly a person in this county and in some measure, this region — whether for work or pleasure, can get to and from their intended destinations, whether in or out of the City — without traveling on a City street.

These comments, are not intended to create a "fiscal war" between the City and the surrounding communities.

As we stated last year, in our Budget message:

"...we are so inextricably interconnected, that Pittsburgh could not afford a fiscal loss by neighboring communities or even counties"

"But neither could this area afford a weakened Pittsburgh...", and possibly endanger the welfare of all of Southwestern Pennsylvania.

What is intended; however, is to clearly point out, that the City does not want nor does it expect non-City residents to pay for or subsidize — the needs of City residents. We ask only that non-City residents/Pittsburgh wage earners and non-City resident/users of City funded facilities — help pay for some of the services — supplied to them — the non-City resident.

We defy any non-City resident — to say that they don't get more than a mere \$10.00 value in services from this City!!!

The City's efforts, with other municipalities similarly situated, should be pursued further with the State Legislature in Harrisburg.

Finally, I would like to give you an update on some recommendations that we made and which were implemented in 1981 — to alleviate the taxpayer's plight.

The Finance Chairman, with Council's support, is working closely with the City Treasurer, with the Mayor's approval, in using a "Lock Box System" in receipt of monies. Under this system, the bank receives the money and interest is collected -- from the day the money is received, rather than after the delay created by the sorting of checks.

By getting money deposited earlier by use of the "Lock Box System", the City took in -- an additional \$500,000 in interest income in 1981 -- without the need to additionally tax for it.

In another concerted effort between the Finance Chairman and the City Treasurer, this City instituted a monthly, rather than quarterly, payment plan on taxes, for larger employers and companies. Monthly payments had brought money into the Treasury earlier and permitted the City to invest those monies sooner and longer. By this new collection system, \$3.8 million in additional revenues were collected in 1981 and -- \$150,000 of additional interest income -- was received by reinvesting these funds.

The Mayor's proposal and Council's approval of the centralization of all financial operations of the City, under one department -- the Department of Finance -- is, in our opinion, a major step forward.

Lastly, a recommendation by the Chairman of Council's Committee on Supplies which was adopted by this Council -- to have our refuse vehicles drive directly to the landfill locations rather than to transfer stations -- is expected to save the City in excess of \$500,000 in 1982.

The 1982 Tax Operating Budget, again, is tight, but our City looks to the future with anticipation!

I hereby recommend that the City Council of the City of Pittsburgh adopt the 1982 Tax Operating Budget -- with the cuts we proposed, and I urge the Mayor of the City of Pittsburgh to accept our recommendations and revisions and to approve the 1982 Budget.

Respectfully submitted,  
December 28, 1981

**ROBERT RADE STONE**  
Finance Chairman

Mr. President, if I may, while I have the podium, I would like again, with your permission, to publicly acknowledge and thank the following people. First, our Budget Staff of City Council with John Buckley and Peter Vaughn, for doing an excellent job in 1981 again.

I would like to thank our Capital Budget Staff of Eddie Albert and Bob Rush for keeping our Capital Budget and our Community Development Projects in line and moving.

I would like to thank our City Clerk, Mike Perry, Bill McCray and staff, who have been keeping our meetings timely, and all along have lessened our load.

And to the corps of secretaries and typists, at the head of which, Anna Marie Lozer, for her serious and extra special services.

To Barbara Ballo and the staff of our City Computer Center for the continued patience and understanding and excellent service.

To our Printing Department under Bob Murphy, who each year is always cooperative and has always performed well under most unusual circumstances.

A special thanks this year to all of the department heads and directors who were most cooperative.

A special thanks to the Treasurer, Ron Schmeiser and George Jacoby, for their cooperation and input into the 1982 Budget deliberations as well as their full cooperation and understanding during the year.

We add as well, a thanks to the Controller's Office.

We publicly at this time would like to thank the Mayor of the City of Pittsburgh, who has been most cooperative in these deliberations, and last but not least, I would like to thank each and every Councilperson, who by their participation, support and input, have contributed to shaping the 1982 Budget. Thank you.

**Mr. Stone** moved for adoption.

**Mr. Woods** seconded the motion.

#### **The Chair:**

Is there any discussion on the bills?

**Mr. Given:**

Mr. President, I have to appreciate some of the Chairman's remarks, in fact, some of the things that have happened, and some of the remarks that he has made, have been something that I think all of us in Council have shared over at least, the six years that I've been here. But when I look at some of these comments, I must again, in feeling that what the Councilman has so indicated, that the people have worked and have been cooperative in the past years; however, I still feel there is a lot, and a vast area of improvement that we must look forward to in the 1983 Budget.

When the Finance Chairman stated that the 1982 Budget will also be a tight budget, in fact, budgeting for the next few years will also be tight, but today, there is hope. In some way, I cannot agree with that. In sitting here for six years, the budget has increased by over 100%, and I throw that up. And although we have a beautiful picture of the churches in the South Side, and the steel buildings going up in the City of Pittsburgh, I wonder if maybe someone might lay a wreath in regards to what might be the future of Pittsburgh. Does it take a nuclear holocaust to destroy the City of Pittsburgh or are we going to destroy ourselves from within?

Over on the second page, "we pray there is hope. As one looks at this City, one can predict that the future will be filled with a great deal of hope and expectation." I would like to enjoin in that, but how in the world can we tax the people some \$40 million this year and ask them to pay their daily bills. I don't think they are going to be able to do it.

Wherein it says, "light at the end of the tunnel" — I see an exodus of people leaving the City because of the tax base. We talk of a tight budget, as was indicated in this past year, 100% almost, increase, and the Chairman says part of the responsibility for exercising care rests with Council, and that is why my vote has been, in the last two years, a no vote for these exorbitant budgets that we have.

In addition, on page three, our manpower for police and fire and environmental resources, is that of minimum level. How can we sit here and leave it be at a minimum level when we know crime is on the increase and law enforcement is having a very difficult time. If we look to New York, they are disregarding what is happening to their signalization there, their lights, they are

going through red lights. There is a disregard for the enforcement and the dignity of life as it exists in the City and this country today, and it must be imposed upon the police officers to enforce that, and yet we say we will give you minimum people in order to do this job.

"Therefore the 1982 Tax Operating Budget remains tight" - I indicated, and I will so predict, Mr. President, that there will be a surplus at the end of 1982 ranging between the \$12 and \$14 million. And looking at all of the Finance Chairman's various proposals, coming up at the bottom with a debt service and all of those others adding up to \$44.56 million, or total charges of almost \$50 million, that is my great concern. One can clearly see that even with decreased manpower, "these appropriations are fixed and we are locked into them." Like hell!

This Council this year voted on and passed \$80 million of new money at interest rates approaching 11.25%. We have an annual budget, and sure we get locked into that annual budget, but after a time, all that becomes very, very fixed.

On page six — "if the same system is retained, they will not be able to return to work", we are talking about our refuse collecting people — I have asked for, for several years, I emphasized it very strongly this year, they might not, yes, be able to come and pick up a hundred pound sack of weight, but they surely can go into the City and work in some other department within the City, eliminating almost \$11 or \$12 million in compensation. We have to stress the light duty very strongly.

On page nine — "to summarize, the Mayor's \$48.96 million deficit was cut by Council by some \$9 million, etc."

— year after year I sit here and I see a juggling act — a juggling act between the Mayor and the Council, where the Mayor will under-appropriate and Council over-appropriate. All of the figures that I have seen before me, with the exception of a few, were in a juggling act. We increased the rates, the Mayor had decreased the rates, indicating that we looked pretty good, and I have to agree that Council's juggling has been more on target than what the Mayor has been on target. But that bothers me when I get a budget that we have to do some juggling on the acts.

On BM-11 — we are talking about the City Pension Funds — "this unsoundness works adversely against the City bond rating. Council's Finance Chairman has been working with the Mayor and with the Treasurer..." I wish — Bob consistently has indicated, through here, that the Council, in this particular case, he indicated himself personally, I'm sure he was, but all of Council is on record in working to reduce this bonded indebtedness. For the past five years I've been working with it and I know he has too and many others. Last year and the year before I did not vote on the budget because of this bond indebtedness. We are beginning to do something right now. We put that one million dollars in the unfunded pension fund. I asked for \$3 million last year and was ignored. However, four people saw the light of our bonded indebtedness and so voted for it. That gave a message to everyone, and I am happy to see, as I indicated last week, at least one million dollars. But at one million dollars, to pay for a liability of \$350 some million, it will probably take us about 300 years to pay this off and this effort should aid our bond rating? I don't think so. I hope it might slow it down, but I don't think it is going to stop us from still continuing to fall.



We talked about real estate, and a good move on the part of the City, where we released the funds of that \$10 million, of which we only spend \$5 million, and we saved \$700 some thousand in potential interest in 1982. And I ask myself, if the Administration, and everyone were on their toes, we would not have had to pay that \$700 some thousand because we would have known about it, it would have been funded properly and as a result we could have saved an additional \$700 some thousand.

On page 17, "we applaud the Mayor's effort and believe the cause is just" since has been highlighted, and this is in regard to trying to work with our General Assembly, etcetera. Why does it take five years for anybody to get with their State Legislators to try to change this particular thing? I might be as guilty as all of the rest in here in not having the staff to go out and more actively pursue this particular endeavor. Why does government have to operate by crisis? And that is what we are bringing down to. We are going to force our own people out and the crisis will be upon us and then finally, maybe, the state might help us out by some form of revenue sharing, and that is about the only enlightenment I can see that the City of Pittsburgh, we pay our state taxes, and hopefully, those state taxes can be returned to us in some type of revenue sharing thing.

On the last page, "to have our refuse vehicles drive directly to the landfill location rather than to the transfer station is expected to save the City in excess of \$500 thousand", and I commend Ben Woods for bringing this up again, because it was three or four years ago, and I came back and I said, "You can tell the landfills and everyone else to go to hell, in California they say, 'Bring us your garbage'", and in some cases now,

in other states, they are actually paying you money for your garbage. Garbage is gold, garbage is energy, and we'd better get on the stick and try to solve all of our problems, and we are talking about some \$4 to \$5 million in that particular area.

Mr. President, I give you thanks for letting me say my piece in here today. I can't say it is all negative, as each one of us have the prerogative to vote on this Council, I would hope that my fellow Councilmen would give me the privilege, as I give them the privilege of voting the way they want to vote, I hope that they don't feel that what I have said here has been detrimental to them as individuals, I say it because all of us are invested, and take that oath of office to help secure the safety of the people of the City of Pittsburgh, and that is why I vote the way I do. Thank you Mr. President.

**Michelle Madoff:**

Mr. President, I would like to take the opportunity to really applaud Councilman Givens. You know, many of us have a tendency to be verbose, I am one of those -- I want to convince people that I really believe what I am saying from my heart, and sometimes I say it too often. But I think what Mr. Givens has said today really goes to the heart of the matter, and it is really a very sad day for this City.

In my statement that I prepared on Wednesday, I touched on the fact that the budget is promulgated without direct give and take discussion and interaction with City Councilmembers. The budget appears every year, and then after the fact, just like a miracle, it comes out of the air. Council is put in the position of having limited time, under pressure, to review a budget within a matter of a few weeks. I presume it is done this way

because it has always been done this way. I have spoken with Mayor Caliguiri, and had extracted a promise from him, that Council and the Mayor would meet in ongoing, informal discussion meetings before this kind of thing would happen. And I stated earlier, in my statement on Wednesday, that that is something that the Finance Chairman could have done as well, but the Finance Chairman today, made probably one of the best speeches I've ever heard. Unfortunately, it was riddled with loopholes, inaccuracies, and it reminded me of swiss cheese. He talks about the fiscal life of this community and the hope we have to look forward to. Yet he forgets that even the Administration has told us that we only anticipate receiving from Renaissance II, something like \$4-1/2 million in additional revenue, and that talked about the fact that we have already committed ourselves to \$10 million in rebates for those people who are getting rebates on their real estate property and that of course, is not going to generate additional revenue.

My greatest concern over the year has been that \$70 million unprecedented bond that I voted against, because we will see in the year 1984, a \$74 million debt service, which will probably be, at least by that point, at least 20% of our budget. That is not even factoring the \$330 million unfunded pensions, for which now we are making a token turn around. We are headed, I'm afraid, down the same road as the Big Apple and Cleveland. And I don't know what the answers are, but I do want to make a prepared statement on my budget, and I want to end it with a note on the community involvement from the suburbanites.

While Council was in recess for Christmas, I spend many hours talking with many people, both in and out of industry and government, as well as

public institution people who are regularly involved in the preparation and passing of annual budgets. After speaking to a multitude of experts in finance, these resource experts have informed me that my gut reaction, combined with my one year of basic accounting, were perfectly correct. They substantiated my belief that I could indeed vote for expenditures where I felt they were appropriate and to vote against others, and to still not vote for the budget in its entirety. Because of my firm belief that there are substantive dollars that could have been factored into the 1982 revenues, many untapped sources of revenues were not pursued. Most notably, these dollars will come from at least 2% of City jobs that cannot possibly be filled, and would put \$4 million in additional revenues, which we chose not to include. This can only happen if each department is forced to live within its budget without overrides and Wallace Acts that are not abused. A contract is a contract is a contract, the bidder beware. Furthermore, a bidder always factors in a cushion for emergencies.

Then there is the issue of the unanswered questions. Surely some dollars will flow into the 1982 Budget still from the sale of the Chatham Condos. Maybe not the full one million dollars for the year, but at least a quarter of a million dollars according to the experts that I have consulted with. Unless, as I suspect, the money is to be paid in a lump sum, then we would really have that million dollars. But I can't get answers any more than a lot of other members of this Council, Mr. Givens, can get answers, to these and other questions.

While I have a number of concerns and differences of opinions with my colleagues about the proposed expenditures in the 1982 Budget,

nevertheless, I am not basically opposed to the expenditures, particularly in the area of pensions. However, I am not going to vote yes to a budget where every source of possible revenue could have been aggressively pursued and was not, and I have stated them on many occasions. The sale of City-owned property and the burden of maintenance, along with new taxes that could be generated, revenue that could be generated by aggressively selling surplus water, and probably the greatest potential of revenue saving, in the millions, is to work out a mechanism whereby equipment from desks to backhoes could be purchased second-hand, in mint condition, for a fraction of even the wholesale prices.

And not to be overlooked, even a meager one million dollars, that the City could have found a way to tax at 30%, tax-exempt entities in the City. As a service fee for providing streets, paving, litter removal from roads, police, fire, etcetera.

And of course, having a grants person who would go out and help the communities and bodies in the City to which we yearly grant contributions because they are in need and we should be supporting those in need, but that money could have come from local industries, we are the third corporate headquarters, and recently there was an article in the paper that touched on a wish list. I believe that Detroit, I'm not sure if I have the right City, put out a wish list of things that are needed and presented them to various corporations, and many of their wishes and prayers were answered. Perhaps we will do that in this City.

It is no great satisfaction to me that I was a prophet in my own time and guessed right on the button that the budget would be reduced by exactly \$8

million from the \$49 million to the \$41 million. But I still hold with my initial belief that another \$15 million, at least, could have been anticipated from a host of sources. Some I have touched upon and many that could have been located by virtue of having efficiency experts review each department for sources of revenue that would also allow each department to run at peak efficiency.

The issue before us today is not expenditures or appropriations, but revenues that could have been factored into the 1982 Budget, so that even with a \$41 million increase there would have been additional dollars to offset this unprecedented increase in taxation which will place such a burden on all of us in the City that we will pay for it when many people again flee from the City for the suburbs leaving those of us who remain to pick up the even greater burdens. If Mr. Stone, Council's Finance Chairman is as conversant with the budget processes as he would lead people to believe, then surely he is familiar with the budgetary process in Harrisburg and other legislative budgetary processes, he should certainly be aware that a vote for expenditures and a vote for appropriations are entirely separate. Anyone who ever took a course in Accounting 101, knows that it is quite in order to vote for one side of the accounting, or the ledger, and not for the other, and to oppose inadequate reporting of revenues. I believe there will be a surplus, I believe it may even be deliberate. I have only one regret, that I allowed Mr. Stone to bully me into not voting, as I saw fit, on various expenditures. It will never happen again.

I might add that we can no longer, and I think everybody on this Council agrees, continue to provide services for suburbanites without reimbursement. And as of this time, it appears that there is little chance of taxing suburbanites

who do not appreciate that the City residents pay the same dollars they pay for City services. And I think Mr. Stones analogy of the hotdog was a very good one. Yet, if we didn't plow the streets, the suburbanites as well as City people, might miss six days of work. What would it be worth to them to help us defray our costs. They live in their bedroom communities because of the fine amenities provided by Pittsburgh. Heinz Hall, the Civic Arena, the Museum, the Aviary, Phipps Conservatory, the Stadium, the police, traffic police, and fire protection. However, the greatest objection appears to be taxes without representation. Obviously the direction we should all be moving in then, suburbanites and City dwellers alike, is to metropolitanism, a form of government to eliminate duplications and to keep taxes at the lowest levels possible. If we don't do it then certainly we have provincialism and we'd better think about going to, a word that is often considered a dirty word, and that is metropolitanism.

**Mr. Stone:**

Mr. President, one short point if I may. I am faced with a bit of a problem. Some of the comments made, if not answered, one would tend to believe that they have some credibility or merit, and far be it from that, because I think there has been a lot of loose rhetoric here at this table that should not be left as if it is the Gospel and it has merit and has knowledge.

I am at a loss as to how someone can attempt to gain the best of every world by in one breath saying, we ought to be cutting this and cutting that, the expenditures are too high, and yet at the same time, when it came to their particular department, they asked for increases of expenditures.

**Michelle Madoff:**

That's right.

**Mr. Stone:**

I am at a loss to understand how someone could say that we should cut this budget and we shouldn't spend any more money, but yet we should put \$3 million into the Pension Fund. If I see it that way, it means that there should be more money in expenditures.

I am at a loss to understand how someone can say they are opposed to curbside refuse collection when at the same time they advocate mechanized removal and everyone who is logical would know that in order to get to mechanized removal you must first of all get to curbside removal.

Relative to our experts on revenues and those who would cite other experts about budgetary matters and accounting principles, some people pick good sources and others don't. There may be some differences that exist and that may be more in the minds than it is in logical and good accounting principles. I just want to quote someone who was an accountant, and I know he is no person of any letters in the accounting field, but he said something at this Council, which I think a few years he said it, and it has even more merit as the years pass than it did when he said it, and that was Councilman Coyne, now United States Congressman Coyne, who said that any Councilperson who sees fit to put the City of Pittsburgh in debt by voting for appropriations and expenditures, and then does not have the intestinal fortitude to vote for revenues to pay for those bills that they have voted for is being fiscally irresponsible. I need not say anymore.

**Michelle Madoff:**

I think that needs a response.

**Mr. Givens:**

No Mr. President, excuse me Mr. President, I have a response.

**Michelle Madoff:**

No, there is no way, he addressed me, I am going to respond.

**The Chair:**

Michelle Madoff, then Mr. Givens.

**Michelle Madoff:**

Mr. President, Mr. Stone sits there and says he is at a loss, he is at a loss, he is at a loss — well you'd better believe he is at a loss. He doesn't understand budgets, he should not be our Finance Chairman. Where was he in January, where was he in February and where was he in March of every year, working to seek out other sources of revenue. I am not opposing the expenditures, and I am not opposing the appropriations. What I am opposing and what he understands fully well, and which he chooses to pretend he doesn't understand is the fact that we have an additional \$15 million in revenue that we could generate in this City which would have lowered the tax burden on the public, and even he understands that and his twisting my words will not wash.

**Mr. Givens:**

I would like to make one comment Mr. President, in regard to what the Finance Chairman so indicated. I've been on this Council for a number of years and I've attempted to use different methods, and I explained one of them at the committee where I had sent letters to the various department heads and asked them for various cuts up to ten

percent and I received no response back. Another Councilperson did that this year and received no responses back. If I don't receive a response back and I make a cut in my department because nobody else, Mr. President, was making a cut in their department, so why should I single out the Department of Public Works? Why should I be the bad guy in that particular area.

As I indicated in cuts, I asked for cuts and I voted for cuts. When the final vote came up, and it wasn't until last week, all of the rhetoric that went on before then was up and down hill. The final test is the vote. Do you want to appropriate or don't you want to appropriate. I didn't want to appropriate the amount of money that is so indicated in this budget. I wanted to appropriate an amount of money that was much less than this budget. If five other Councilpeople would have done the same, we would have been back to peg one on this budget and we would be working up through New Year's and maybe even past, to settle some of the problems that we are having. We are going into the hole, we are going into indebtedness and that was my point. Yes, I complimented the one million on the debt service, I wanted \$3 million. That \$3 million is long-range financing. I am trying to cut the debt service of our children and our children's children so that they won't have to be driven out of this City. That's why I wanted more money — one million dollars to pay \$350 million. Add up how many years its going to take. It takes a kid before preschool kindergarten. On curbside, you can't compare curbside with mechanical pickups — mechanical pickups in one degree —

**The Chair:**

Mr. Givens — look, if you are going to repeat yourself, now we've had comments —

**Mr. Givens:**

I'm repeating what he said, he said I voted against curbside and I was —

**The Chair:**

Well you've had your say and Mr. Stone had his say. I think a comment or two, but not —

**Mr. Givens:**

I'm finished. This is the last comment. On the curbside pickup, he said you can't do — curbside is in fact, will allude to the mechanical pickup —

**Mr. Stone:**

Call the question.

**Mr. Givens:**

Well, my point on that is a little bit different —

**Michelle Madoff:**

Don't be rude, he gave you your say. Quite being a bully. You are not the Ayatollah.

**Mr. Givens:**

I said the mechanical is the way to do it, it stops all injuries, and hopefully this Pittsburgh will be driven to it, and mechanical is nice, one can set up these mechanical pickups to put them almost in your backyard where you don't even have to leave your property, you can walk out and just open the lid from inside your property and drop it in the container. All you have to do is reverse the container around and use a little imagination.

**The Chair:**

Well, we all have the taxpayers at heart, I certainly believe so, but I do have to make one comment, I don't want to add fuel to the fire — Michelle Madoff, you said it at the committee meeting last week, that you never mentioned the figure of \$15 million, now today the reporters are here, they weren't here that day, you again mentioned the figure of \$15 million, and when we sat at that table and asked the question, it wound up \$250,000 and that is the only amount of money that Mr. Valaw and all of your other sources could come up with.

**Michelle Madoff:**

You are talking about land Mr. President, only. You are only talking about land.

**The Chair:**

You keep throwing \$15 million around, and when I asked you at that table you said you never mentioned that figure, and now you mention it again today, and these people in this audience here today were at that meeting.

**Michelle Madoff:**

Mr. President, I'm sorry that you didn't read the press release that I gave to every member of this Council —

**The Chair:**

...delude the public or try to delude them that there is \$15 million out there, it is not out there, you know it and I know it and everybody else knows it so let's quit saying it.

**Michelle Madoff:**

Mr. President, I distributed an itemized breakdown of some of the areas where I felt revenue could be

generated. I specified the revenues. In some I overestimated, in some I underestimated. The total came to \$15 million. I said there will be at least an \$8 million cut and probably \$15 million. I'm sorry sir that you didn't take the time to read it.

**Mr. Stone:**

Move the question.

**Mr. Givens:**

Aye for all reasons stated, and Mike, I want my remarks of the Wednesday session to be brought forward to this — I want my remarks brought forward and I vote no on this budget.

**MR. GIVENS' REMARKS ON BILL NOS. 4538, 4539 and 4522 FROM THE MEETING OF WEDNESDAY, DECEMBER 23, 1981:**

(Bill No. 4358)

**Mr. Givens:**

Mr. Stone, I think the letter came up yesterday from both our Controller and Treasurer, and of course, looking at that debt service of some \$21 million and knowing that the total debt service is \$25 million and how do we go from the \$35 million to the \$25 million is somewhat of a mystery to me and it took me about a half a day getting yes and no's from both departments until we finally got the final resolution here at this Council table. Hopefully, next year during the budget process, that in that particular part of the budget it will be explained, the total debt service and how that debt service, then by sinking funds and other appropriate funds —

**MR. STONE COMMENTS**

(Bill No. 4359)

**Mr. Givens:**

What about the step grade increase in City Council Mr. Chairman? And also there were two others —

**MR. STONE COMMENTS**

**Mr. Givens:**

One point of clarification on this particular bill; does this also include the Council as well as the Mayor's proposal on the curbside pickup?

(Bill No. 4522)

**Mr. Givens:**

Excuse me, we have not had discussion on the Capital Budget —

**MR. STONE COMMENTS**

**Mr. Givens:**

If nothing is going to happen, I am approving a Capital Budget that I haven't discussed.

**MR. STONE COMMENTS**

**Mr. Givens:**

Would we be then having public hearings on that?

**MR. STONE COMMENTS**

**END - MR. GIVENS' COMMENTS - 12/23/81**

**Michelle Madoff:**

I think I've said enough and I would just like to conclude by saying I resent the distortions, I resent the implication that I had said one thing one day and said something else another

day. I don't need this job, I'm here because I care, I'm here because I feel I am productive, I like my work, and I vote no on this budget because it stinks.

**Mr. O'Malley:**

I would just like to commend Mr. Stone, I think he has done an excellent job on the budget.

**The Chair:**

Is there any further discussion on the bills?

And on the question, "Shall the bills pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley  
Mr. Robinson

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 7                      NOES 2  
(MR. GIVENS AND MICHELLE MADOFF  
VOTING NO)

And a majority of the votes of Council being in the affirmative, the bills passed finally.

Mr. Givens presented

Bill No. 4534

Report of the Committee on Public Works for December 23, 1981 transmitting one ordinance to Council.

Which was read, received and filed.

Also,            with            an            affirmative

recommendation,

Bill No. 4412

An Ordinance entitled, "An Ordinance amending and supplementing Pittsburgh Code, Title Six-Conditions, Article I, Regulated Rights and Actions, Chapter 601, Public Order, Section 601.12 Refuse Receptacles Collection, by amending subsection (c) to limit the size of the containers to thirty-two (32) gallons in capacity or sealed plastic bags; by amending subsection (d), to provide for placement of receptacles at the curb; and adding subsection (d) (1) to provide for granting of exceptions to the requirement for persons with physical limitations which prevent placement of receptacles at the curb; amending subsection (e), to limit the time for placement of receptacles for household garbage and rubbish on public places; adding subsection (i) to provide for a penalty of fifty (\$50.00) for any person convicted of violating this Chapter."

Which was read.

**The Chair:**

Is there any discussion on the bills?

**Mr. Givens:**

When you enact something like this you have impact, otherwise, people could have gone out just recently and bought additional 50 gallon drums, and this ordinance, in effect, will eliminate that within a period of 60 days. I have asked when this bill was first introduced if by some means, we could have some type of a phase-in period, at least over one year period of time, as those 50 gallon drums are depleted, you throw them away, and by the end of one year you know, finally get rid of them, but I think there is going to be quite



expense on a lot of people in the City of Pittsburgh, within 60 days, for over 425,000 people to run out there and buy 32 gallon containers, and I put a motion before the floor that we, on that one part Mike there, where it says that this will become effective March, that date, on the 50 gallon drums, be 31, December, say, 1982, giving the people the use of their containers for at least that one year, and a natural phase-in of the 32 gallon cans.

**Michelle Madoff:**

Further discussion?

**The Chair:**

Further discussion, Michelle Madoff.

**Mr. Givens:**

Well I have a motion, I have to get a second before we can discuss it.

**The Chair:**

You want to amend it?

**Mr. Givens:**

I want to amend that bill to indicate that the 50 gallon containers will be phased in over a one year period and will terminate on 31, December, 1982.

**The Chair:**

I can follow you there, what about the curbside?

**Mr. Givens:**

Nothing about the curbside.

**The Chair:**

It doesn't affect curbside.

**Mr. Givens:**

Just the containers.

**The Chair:**

Allright, there is a motion, is there a second? There being no second the motion dies.

**Mr. Givens:**

Because of that, then we are going to have to have quite a few families go out, and in a two month time period, buy 32 gallon containers. That is my point. You sure are not giving people any advantage out there.

**Michelle Madoff:**

Mr. President, I have two containers the size Mr. Givens is referring to, they are on wheels, my house is level, my garage is level, I can easily wheel them to the front of the street and I don't have any problems. My next door neighbor put one gift wrapped package of garbage, in a plastic bag, very well sealed, and it was there from the night before until the next day, the refuse people were there on time, however, the dogs, or the racoons got into the garbage, the garbage to this day, it is a week old, is still strewn on that front sidewalk. The question I propose is, who is going to clean it up? Are we going to have a back-up truck that goes out on an emergency hot line where we can have people call in? Now I know Mr. Stone has said and others have said, "Well, we'll have problems and we will deal with those problems". It is my feeling that when the Mayor and the Administration have not shown good faith, particularly in supporting Mr. Robinson and his Environmental Committee, to do something about the

existing filth in this City, which is a pig sty, now we are going to see all of the streets become pig stys. The only place it won't change is where you have an alley and where your garbage has been put in an alley anyway, and nothing will change for you. I can get my garbage to the front, if necessary, because I get all of the newspapers and out of town papers, I have someone to wrap them, I can afford to pay somebody, I don't speak for me. Two years ago I suggested that perhaps we ought to look at curbside garbage pickup because of the compensation debt, but I also pointed out that in Altoona, where they had a doctor come aboard on staff, the compensation claims dropped remarkably; almost to about a quarter of what they were before. We have now gone in that direction. We've got a new mechanism set up, I think it will substantially cut the amount of compensation.

What do taxpayers pay their dollars for if it isn't for police, fire protection and getting their garbage picked up? What are we charging them for? Now, if we had sub-contractors, if we contracted this job out to an independent body, and if that body did not pick up as they do in the suburbs, then there are severe penalties. So that rain, sleet, hail or snow or hurricane or tornado, they are there. I have talked to the men. I have talked to some of the leadership, some of the supervisors, and they tell me that there is no way in God's little acre, that they are going to be out there when we have holidays and vacations. Based on that and based on the fact that we have not seen good faith from the Administration -- in the month of August we had eight citations on litter. How can we sit here and say let our City become even more of a slophouse than it is now. Therefore I cannot vote for this bill.

**The Chair:**

What provisions, if I may ask, are being made, Mr. Stone, in case they not pick it up on account of inclement weather, holidays or what have you? Maybe we can fine the City, and I'm not trying to be facetious. If the garbage is to be picked up on a Monday evening, a Monday morning, and isn't picked up, what is the answer?

**Mr. Stone:**

You are going to have to clean up your own after -- if they are expected to pick up at that time, and if they don't they will tell you not to put it out until they are ready to pick it up.

**The Chair:**

Well suppose you put it out on a Monday like Michelle says, a week goes by and nothing happens?

**Michelle Madoff:**

You've got to take it back.

**The Chair:**

Well that's a problem. I'm serious. I mean, what are you going to do?

**Mr. Woods:**

Mr. President, right now they don't pick up on holidays or on Saturdays and Sundays.

**Michelle Madoff:**

Sometimes.

**Mr. Woods:**

They do not. They do not.

**The Chair:**

I understand that, they allow

day, but Ben, I'm saying under this new system, they almost have to pick it up the day they ask you to put it out to the curb.

**Mr. Woods:**

No, everyone is going to be notified ahead of time.

**Mr. Stone:**

They will be told to put it out if it is going to be picked up that day, if we are not going to pick up, you won't put it out that day.

**Michelle Madoff:**

Mr. Stone, that may be a workable arrangement, and if I am shown that it is, next year I will support it. However, what do you do when the garbage is put out two hours before? You put it out in the morning on your way to work at seven and the refuse men get there at ten, and the garbage has been torn apart and litter -- is the garbage man going to clean up the garbage on the street after its been gift wrapped? And I will tell you that if it happens to me I'm going to sue. I want to know why Mr. Robinson's bill to do something about stray dogs and having some kind of an Environmental Committee has not taken place. That may have solved some of our problems. But what they are asking the Council to do is, as usual, put our heads on the block, so they look good, but they haven't done their part of the job, and that is the Administration I refer to.

**Mr. Givens:**

I am voting no because I feel that even though the dangers involved to our City refuse collectors is such that I have to appreciate, and I have to appreciate that liability. That liability is also on the Police Department, on the Fire

Department, on Public Works and other dangerous jobs that the people do within the City of Pittsburgh, like painting and inspecting bridges and things of this nature. It is something that I was hoping that -- it is a service to the City, and I would think the people would like to continue that service, and that is what I am hearing. And I don't want grandmother and mother and dad, and young kids walking out there and injuring themselves by maybe the thousands, where our people who are trained in how to handle these types of loads, can do it at a better experienced level. That is the reason I vote no for this particular bill.

**The Chair:**

Is there any further discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty  
Mrs. Masloff  
Mr. O'Malley

Mr. Stone  
Mr. Woods  
Mr. DePasquale  
(Pres't)

AYES 6                      NOES 3  
(MR. GIVENS, MICHELLE MADOFF  
AND MR. ROBINSON VOTING NO)

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Flaherty presented**

Bill No. 4355

Report of the Committee on Lands and

Buildings for December 23, 1981 transmitting one resolution to Council.

Which was read, received and filed.

Also, with an affirmative recommendation,

Bill No. 4460

Resolution repealing Item (H) of Resolution No. 289, approved 4/18/80, for Lot on Middletown Road (20th) Ward, designated as B & L 71-C-76, to Calvin & Jeanette Jemison, for the sum of \$2,000.00. Resolution is to cancel sale and return hand money to purchasers.

Which was read.

**The Chair:**

Is there any discussion on the bill?

And on the question, "Shall the bill pass finally?"

The ayes and noes were taken agreeably to law, and were:

Ayes:

Mr. Flaherty	Mr. Robinson
Mr. Givens	Mr. Stone
Michelle Madoff	Mr. Woods
Mrs. Masloff	Mr. DePasquale
Mr. O'Malley	(Pres't)

AYES 9 NOES none

And a majority of the votes of Council being in the affirmative, the bill passed finally.

**Mr. Stone:**

In accordance with Section 322 of the Home Rule Charter, Publication, Effective Date of Legislation, I move that the effective date on Bill Numbers

4460, 4504, 4521 and 4523 shall December 31, 1981, all other bills January 1, 1982.

**Mr. Woods** seconded the motion.

Which motion prevailed.

And on motion of **Mr. Stone**

Council adjourned.